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HISTORY OF SCOTLAND

THE

HISTORY OF SCOTLAND

FROM AGRICOLA'S INVASION TO THE REVOLUTION OF 1688

BY

JOHN HILL BURTON

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DAVID, the son of the good King Robert, was in Scotland the accepted and undisputed successor to his throne: he was a boy eight years old. His coronation at Scone was attended by specialties giving it peculiar lustre. We learn that the religious mystery

of the anointing of the king was performed on the occasion by the Bishop of St Andrews, under a special bull from the Court of Rome.[1]

It was the first instance in Scotland of anointing—the first at least since the country became a faithful child of the Church of Rome; and in the eye of that Church it conferred on the monarch's title a sacredness which no right of succession or civil ceremony could impart. In the pleadings before Edward I., when he sat as lord superior, it was frequently thrown out against Scotland's claim of independent sovereignty that her kings had not been anointed; and of course Robert the Bruce, at war as he was with the ecclesiastical powers, had no chance of being so consecrated, though it was through the influence established by his reign that the country obtained its high position at the Court of Rome, and the undertaking that the King of Scots was to become an anointed monarch.[2]

Under the Act for the settlement of the crown, the trusty Randolph became regent. He died in July 1332, just as the new troubles of the kingdom were beginning, and he left behind him a traditional reputation for even-handed justice and wonderful sagacity. He was succeeded by another nephew of King Robert—the son of Christian his sister—Donald, Earl of Mar, a man whose career did not prove him capable of meeting the difficulties he had to deal with.

[1] Scotichron., xiii. 21.

[2] The Papal writ conferring this privilege has lately been discovered and printed. It concedes to King Robert and his successors, "inunctio et coronatio, &c., manu sacra pontificis."—Theiner Vetera monumenta, 244. We have seen that King Aidan was anointed by St Columba, and enthroned with other mysteries of high sanctity (vol. i. p. 319). But as we are told the story, that was done under a higher sanction than Rome could impart.

It soon become clear that it was not for nothing that the Court of England had brought over Edward Baliol from France and cherished him as an illustrious guest. He carried with him something of the lustre of fallen greatness. It was now more than thirty years since as a boy he was the avowed heir of the crown of Scotland, and was deemed through this prospect a fitting match for a daughter of France. The principle of hereditary succession had been scrupulously acknowledged in the coronation of King Robert's son, though the critical condition of the country called for able leadership; and King Robert had left two nephews of mature years—one of them, Randolph, a warrior tried and true, and, now that his uncle and the good Lord James were gone, the most popular man in Scotland. Yet this very punctiliousness of the hereditary principle, if carried out, would exclude the whole family of Bruce and carry the crown to this Edward Baliol, residing as an illustrious guest at the Court of England.

Further, as the natural result of events in Scotland, there was a body of men whose title to domains there was precisely of the same character as Edward Baliol's title to the crown: these were the barons who, having estates in both countries, had taken part with England. Although no acts of forfeiture may have been issued against them, yet, as we have seen, they virtually lost their estates, and the loss was rendered emphatic in some instances by their seeing others put in possession of what their ancestors had owned. Here were well-fitted elements of a common cause between an aspirant to a throne and his supporters.

It is instructive to glance at the genealogical position and territorial claims of these supporters so far

as they are revealed. In the English records of the period there are several remonstrances, importing that Scotland had failed to observe certain stipulations made on occasion of the Treaty of Northampton for the restoration to English subjects of the estates held by them in Scotland. Among these the Percies of Northumberland made a claim, which was satisfied for the time, although their domains in Scotland must have been lost at an early period in the ensuing wars.[1] At the same time we find James of Douglas restored to the estates in England that seem to have come to his house by marriage. The connection of these names with land questions in both countries at such a juncture, may give us a lively and practical notion of the arbitrary way in which the war adjusted nationalities among those great houses whose parents held territories in both countries and frequented both courts, though that of England had the predominant attraction. The Percies became the hereditary guardians of the north and the scourge of Scotland. Their services in the defence of the English frontier raised them, as nearly as the English constitution would admit, into such a secondary sovereignty as the Margravates of the Empire, which arose out of the influence acquired by those who could protect the frontiers from invasion. The power of the Douglases arose in a similar manner in Scotland. Yet probably a little difference in the distribution of their estates—more to the Percies in Scotland or to the Douglases in England—might have inverted their position, and made the Percies national to Scotland, the Douglases to England. Another of the dispossessed lords spoken for in the English remonstrances was Henry de Beau-

[1] Hailes, ii. 229, and passage there cited from Dugdale's Baronage.

mont. He claimed the lordship of Buchan, the same that Bruce harried after the battle of Inverury. It then belonged, as we have seen, to a branch of the Comyns, lords of Buchan and constables of Scotland; but the great English Baron Bellmont or Beaumont claimed the territory as husband of the heiress of the Comyns. Thomas, Lord Wake, is another name in the English remonstrances; he claimed the lordship of Liddel, or Liddesdale. It seems not to have been denied, on the part of Scotland, that these claims were supported by treaty stipulations; yet for some reasons, whether justified or not by events, the claimants were not put in possession of the estates demanded by them.

The Earl of Athole was one of the largest claimants among the disinherited, and the history of his house through three generations is a fair example of the fluctuations and changes in nationality among his class, for although he had a title thoroughly Scotch, as Earl of Athole, he was a Norman baron with great estates in the south of England. The house goes back, though not with a very distinct genealogy, to Donald Bane, and was one of the few of native origin which obtained an early earldom. In the middle of the thirteenth century, the Lady Fernelith was Countess of Athole in her own right. She was married to David de Hastings, who traced relationship to the royal family of England. Their daughter, heiress of the two houses, married John of Strathbogie, of the house of Macduff, so that the male head of the house of Athole was again of native name and race. The next heir, David, married an English heiress, who brought him Childham Castle, and other great possessions in Kent. Taking, on the one hand, the vast mountain territories of Athole and

Strathbogie, on the other side the fertile domains of the house in the south of England, one might imagine, from the conduct of their holder, that the two sets of interests were very nearly balanced, and apt to predominate in turn. The son of the lady who brought the Kentish estates to the family is that same John, Earl of Athole, who joined in Bruce's dash for the crown, and was executed at London in 1306. His son David took service with Bruce, and became his Lord High Constable. For some reason, however, whether connected with the restoration of the English estates or not, he is found disappearing from Scotland a year or two before the battle of Bannockburn and taking service with King Edward.

We have yet, even in this one family, to find other estates, both in Scotland and in England, coming to weigh against each other. Here it is necessary to go back to Comyn, Lord of Badenoch, slain by Bruce and Kirkpatrick in Dumfries. This Comyn was married to Joan de Valence, who, with her sister, was coheiress of Aymer de Valence, Earl of Pembroke, King Edward's governor of Scotland at the time when Bruce started for the crown. Comyn had a son, who died about the year 1325, leaving his two sisters as his heirs. That Earl of Athole who had passed from the service of Scotland into that of England married one of these coheiresses. Thus his son David, at the time we have reached, was heir not only of the Athole and Macduff countries in Scotland, and of the Hastings and Childham domains in England, but also represented a coheiress's share in Badenoch and the other possessions of the Comyns in Scotland, and a similar share in the inheritance of one whose name stands in history in so inimi-

cal a position to Scotland as the Aymer de Valence, Earl of Pembroke, who, as English governor of Scotland, had to do battle with Bruce. These estates seem to have been among the most extensive belonging to any English subject, and to have given the Earl of Athole claims in the counties of Norfolk, Suffolk, Essex, Hertford, Lincoln, and Northumberland. On the other hand, the fragments of our records of Scots land-rights reveal to us gifts of the Athole estates to partisans of Bruce—the great bulk of them apparently going to the family of Campbell of Lochawe, the husband of his sister Mary.

Disposals of the Comyn estates also turn up in the records, showing that, besides the great Highland lordship of Badenoch, there were at the crown's disposal fragments of property belonging to that house in Teviotdale, Clydesdale, Dumbarton, and the Lowlands of Perthshire.[1]

This sketch of family history may serve as a specimen of the interests which caused oscillations in allegiance sadly calamitous to Scotland. There were many other barons attached to the English Court who had claims of a like kind on Scotland. For instance, Talbot of Goderich Castle, in Hertfordshire, represented the sister of Athole's mother, the coheiress of the estates of the Comyns of Badenoch. The family of De Quincy, Earl of Winchester, had estates in the south of Scotland—one of them, Tranent in East Lothian—and we find English Mortimers and De la Zouches putting in claims which are traced to an heiress of the De Quincys. In the middle of the thirteenth century there was a Matilda, the heiress of the earldom

[1] See Wood's Peerage—Athole and Badenoch; and Robertson's Index to the Charters.

of Angus, held seemingly by a native family; she was the daughter of Malcolm, who was the son of Duncan, and the grandson of Gilchrist. This lady married Gilbert d'Umfraville, Lord of Redesdale, Prudhoe, and Herbottil, in Northumberland, and carried her rights into his family. It was their son who, as governor of the Castle of Dundee at the opening of the War of Independence, objected to resign his command to any but the Scots Estates, who had commissioned him. The family became decidedly English, and King Robert disposed of their estates in Scotland, while the representative of the house at the time of Bruce's death naturally wished to recover them.[1]

Infested by such elements of discord, it is only natural to find Scotland affording a sort of brief rehearsal of the Wars of the Roses. "The disinherited barons" gathered round Edward Baliol, and, putting him in front as their king, they resolved to try their fortunes in Scotland. The Government of England acted so far with decorum as to make proclamation on the borders against attempts to break the peace with Scotland. The barons and their leader thus found it necessary to go by sea, and they landed in Fifeshire in August 1332, to the number, as it is said, of 500 mounted men and 3000 foot. They marched onwards to Strathearn, where there was a large army under the command of Mar, the new Regent of Scotland. It was posted near Duplin, on a broad gradual slope—the kind of ground which suits great armies for manœuvring against each other for the upper ground. There seems here, however, to have been no general-

[1] Wood's Peerage—Angus. See an examination of the genealogical position of "the disinherited barons" in Hailes's Annals, ii. 177 *et seq.*

ship on either side. Edward Baliol was no soldier, and the force he landed with was what we have seen. Yet he attacked and routed a large army. The affair is one of the mysteries of war. That Mar's army did not choose to fight against Baliol and his supporters would be the natural solution, but for the enormous slaughter which, beyond doubt, befell the army which professed to fight for King David. Edward Baliol now fortified himself in Perth. There another large army invested him, but dispersed without doing, or indeed attempting to do, anything that a force, either with its heart in a cause, or under the orders of responsible officers, should have done. On the 24th of September 1332 he was crowned at Scone; and thenceforth for a while we find in the English records mention of Edward, by the grace of God King of Scotland.

These records contain a special item, dated 23d November 1332. It is the certificate of an acknowledgment by King Edward of vassalage to the King of England for his fief of Scotland. It is, like the documents connected with Edward I.'s feudal claim, saturated with forms and technicalities, as if the skill of the scribe who drafted it could make it perpetual. It tells how Edward's father had been invested with the crown of Scotland by the lord superior; how he had committed offences wherethrough it was justly forfeited to the superior; and how a usurper had in the mean time come in and held the fief by force. As the father whom Edward represented had forfeited his fief by his misdeeds against his superior, his son could not succeed to the fief unless he were accepted as a vassal by the King of England; and this being done, the infeudation of Scotland was again as complete

as parchment could make it.[1] There is no reason to presume that the people of Scotland knew anything about the notarial docquet of this transaction, or had any notice that there had come a great revolution in their condition as a nation. Nearly at the same time King David was removed out of the way of the contest, and hospitably received at the Court of Paris.

The events that follow cannot be grouped and distinguished like those of a war with two sides having a question of nationality or of principle to divide them. It was not even the simple question between dynasties; with this there were mixed up considerations of person, connection, and property all over the country, and the quarrelling is intermixed like the personal contests in an excited mob. At one time we find the new king overmastered by numbers near Annan in Dumfriesshire, fleeing half naked across the English border for protection. Then there are raids across the border, and England, which professed to let the contest in Scotland work its own way, now finds that the Peace of Northampton has been broken by the Scots. It was determined to punish the aggression, and give substantial aid to the new king. This gives for a time distinctness to events —it is again England and Scotland measuring swords. The usual summonses and commissions were issued, and a great English army was assembled at Newcastle in the spring of 1333. Berwick was, as formerly, to be the first object. The vast system of fortifications for which Edward I. had given the practical hint had been sedulously carried out, making indeed two great strongholds—a castle and a fortified town, each under its own governor. Again a trial was made by a ship attack

[1] See the documents in Fœdera, ii. 847.

from the estuary of the Tweed, but it was beaten off as before. The land siege was, however, pressed by a great army, with every siege engine of the day. The Scots meanwhile, under the guardian, tried the old game of a formidable raid into England, threatening to carry off the Queen of England from Bamborough Castle; but this great Norman fortress was too strong to be in serious danger from a light-armed flying force, and the English army was not to be diverted away from its chief object. The English force was far too powerful to be long resisted. There were treaties with the besieged, who were accused of bad faith in still holding out; but the end was, that on a given day the town and castle were to be yielded if they were not succoured, and the test of an effectual succour was to be two hundred of the Scots army actually joining the garrison of the town.

The Scots army marched out of England, and crossed the Tweed at a safe distance. They found the English posted on Halidon Hill, rising westward of the town, and now approached by rows of villas. The ground around its lower slopes was then a marsh, which strengthened the position. The Scots army were led by the new regent or guardian, Douglas, and by the Steward of Scotland, yet a youth. There were some of the old tried captains of Bruce's wars present, but in inferior posts. Here the conditions of Bannockburn were almost inverted. The Scots, if they would fight the English, must attack them on their own ground. The assailants on foot were struggling through the morass, where they were exposed to the deadly skill of that department of the English army which was ever becoming more formidable—the

bowmen. There was no possibility of dispersing them with cavalry, and the Scots army, ere it reached the English, was but an attenuated fragment of itself, easily dealt with. There was no escape from an exterminating slaughter, and the warlike renown of England almost recovered at Halidon Hill what it had lost at Bannockburn.

Berwick had to yield. Though afterwards repeatedly changing hands, the town never remained so long in the possession of Scotland as to be more to the country than a military post of the enemy held for a time and then retaken. Hence, from the day of Halidon Hill, Berwick was virtually the one permanent acquisition to England by the great war, unless we may include the Isle of Man. This, the farthest south of the groups of islands which held but a light and fluctuating allegiance of the crown of Scotland, was occupied and retained by England. Allusion has already been made to the trouble given for centuries to English legislators and men of business by this acquisition of Berwick, after the boundaries of England had been long adjusted. In mere topography Berwick held rank as a respectable market-town with a small foreign trade. But owing to its eventful career, the place was long burdened with an official staff, which, in its nomenclature at least, was pompous as that of a sovereign state The English Government, after Scotland was lost, retained the official staff which Edward I. had designed for the administration of the country. It was huddled together within Berwick as a centre, and was in readiness to expand over such districts of southern Scotland as England acquired from time to time—was ready to spread over the whole country when the proper time should come. Soon after the recapture of Berwick, as

we shall see, there was a prospect of such expansion. The active field for this body, however, was contracted by degrees, and at last it was confined to the town and liberties of Berwick, which were thus honoured by the possession of a Lord Chancellor, a Lord Chamberlain, and other high officers; while the district had its own Doomsday Book and other records adapted to a sovereignty on the model of the kingdom of England.

Soon after this victory, in the beginning of the year 1334, came transactions which appear on the English records as the Acts of a Parliament held at Edinburgh, but they have no place in the records of Scotland. There are entered as present in that Parliament seven bishops. These are followed by four names representing the barons; one of them thoroughly belongs to Scotland —Patrick of Dunbar, Lord March, the governor of the Castle of Berwick at the time of the capitulation. The other three are thoroughly English—Athole and Bellmont, whose family history we have seen, and Richard Talbot, taking the title of Earl of Mar, bestowed on him no doubt by Edward Baliol. Then it is set forth that there were present many barons, magnates, and other persons of the kingdom of Scotland, clerical and lay.[1] The proceedings, like those before King Edward I. in his court of Lord Superior, are drawn up and attested by a notary of the Empire. The whole is as unlike an Act of the Parliament of Scotland as it could well be. It wants that "excellent brevity" which Bacon found in the old Scots Acts. At every stage, whether of preliminary, ceremonial, or of actual business, it is protested in a profusion of words that what is

[1] "Et aliis quamplurimis baronibus, magnatibus, proceribus et hominibus tam clericis quam laicis dicti regni Scotiæ."

done has been deliberately weighed and considered, and has without doubt received the assent of all and singular, the bishops, prelates, earls, magnates, and men of Scotland assembled on the occasion listening and giving their assent thereto, and no one gainsaying. Through these profuse formalities two transactions are traceable. The one is a declaration of King Edward Baliol's homage and fealty for Scotland to King Edward of England; it was evidently desirable that this should be on record, not merely in the personal name of the vassal, but as a condition admitted by a free Scots Parliament numerously attended. The other transaction was the conferring of a testimonial or reward on the King of England for his services in helping the true heir to the crown of Scotland to recover his fief. The form of the reward was a rent-charge of two thousand *libratæ*, to be made good on land in Scotland.[1] By way of giving effect to this obligation, the town and territory of Berwick are made over to the King of England. So much for the transactions professed to be accomplished by an Act of Parliament.[2]

There followed presently a supplement to the transaction, in which King Edward Baliol acted alone by charter, without professing parliamentary sanction. It

[1] It has been much disputed whether this word means a sum of money secured on land, or a certain acreage of land pledged. See Ducange, "Libra; Librata." The author of 'Les Termes de la Laye,' says Librata Terræ contains four oxgangs; and he says, on the authority of the Scots author Skene, in his 'De Verborum Significatione,' that an oxgang consists of thirteen acres. What Skene says, under the head of Bovata Terræ is, "Some land is mair fertile and uther mair barren—alwaies ane oxengate of land suld contene threttene acker."

[2] See the whole record in Fœdera (Record edition), ii. 876. Besides all manner of attestations and certificates, the notary particularly identifies the record as having the great seal in green wax appended to it by ribbons partly green and partly yellow.

was the fulfilment of the gift of two thousand libratæ of land. Berwick alone was insufficient as a security to cover that amount, and therefore, in addition, the King of England was to have possession of the town, castle, and county of Roxburgh, of the town, castle, and forest of Jedburgh, and in the same manner, with their towns and castles, of the counties of the Lothians, Peebles, and Dumfries. It was, in the shape of a mortgage for a debt, a gift to England of the districts south of the Forth.[1] The shape of this transaction reminds one of the English fictions of law, now obsolete, by which entails were docked, or questionable titles to land rectified, by common recoveries, or other actions by fictitious personages.

Absolute sovereignty over the most accessible part of the country—a sworn vassal ruling over the rest—the hold of England upon Scotland was of a far more likely kind than Edward I.'s notion of absolute conquest, had the arrangement gone further than writing and sealing. The English Government proceeded immediately to make good its position by establishing an English official organisation in the newly acquired territory.

For three years after this the fighting continued, and was of the same chaotic character. There were even divisions among the disinherited lords themselves, owing to disappointed expectations and unexpected directions taken in the awarding of the territories ever changing hands. Thus the English Beaumont goes in discontent to his Castle of Dundarg, on a rock on the coast of Buchan, and holds it for family reasons against Baliol's party while it is besieged by Mowbray, who afterwards, aggrieved by his usage

[1] Fœdera (Record edition), ii. 888.

in the distribution of prizes, joins the national party in Scotland. Throughout the whole confusion of contest for personal interests, this national party—the middle class and general population of Scotland in fact—were the real substantial power available for fighting purposes. If these at the beginning looked on the contest as turning on a mere question of succession to the throne and to certain baronies, later events showed them that what was at issue was the other and vital question, of national independence or subjugation to England. Repeated aid to Baliol's cause came from England, and Edward himself invaded Scotland as far as Aberdeen, the people pursuing their old policy of scattering with their belongings as he approached. But he did not pursue this purpose with the earnestness of his grandfather, or of his own in other contests. We can see, even in the confusion of this war in Scotland, the impress of another and grander field of enterprise having opened on the ambitious spirit of this young king.

There was now close intercourse between the national party in Scotland and the Court of Paris—a name conveying a more distinct impression than "the Court of France," since a great part of present France, then distributed into secondary sovereignties, with no more than a feudal connection with the central Government, pursued a separate policy, and in a great measure supported the English invasion there. The internal politics of France have a close connection at this period with the destinies of Scotland, and it may be well, for the sake of clearness, to recall the position of the influencing forces there, however familiar they may be to the reader.

When Louis X. died in 1328 he left daughters, but no son. The old code called the Salic law—which is now supposed to have been intended for the internal regulation of some parts of Germany—was said to apply to the throne of France, so that no woman could reign there, and the daughters of King Louis were excluded. The uncle of King Louis, the second son of his grandfather Philip III., was Charles of Valois. He died just before the beginning of the century, leaving a son, Philip, who stepped into the throne without any opposition on behalf of the daughters of Louis, and thus, in the year 1328, founded the royal house of Valois. Isabel, the sister of Louis X., was married to Edward III. of England. In the exact rule of hereditary succession her claim would stand behind that of her brother's daughters, but the exclusion of female succession applied to her if it applied to them. It was whispered, however, that the exclusion of females was personal only in order that the throne of a warlike people should be filled by a male—it did not affect the right of priority when a male claimed it. This reasoning made Edward III. of England, the son of the late king's sister, a degree nearer to the throne than Philip, the son of the late king's uncle; and the reasoning had a tendency which inclined King Edward to give ear to it. The one thing needful to conclude the argument logically as well as practically was a sufficient force: with such an army as England alone could supply, the adventure would be imprudent. It was necessary to wait until some notable division of forces should arise out of the complicated relations between the Crown of France and the subordinate sovereignties. This opportunity arose, and made in

France a considerable Plantagenet party, helping the English aspirants to the throne, down to the memorable expulsion set in motion by the Maid of Orleans.

In 1337 the diplomatic language of England no longer acknowledges "our beloved kinsman, Philip, King of France." He is changed into "Philip of Valois, conducting himself as King of France," just as at an earlier period. "David, by the grace of God King of Scots," becomes "David de Bruce, commanding our enemies in Scotland." Even before this, the national party in Scotland had felt this counter-current setting in to relieve them of some of the weight of the English power. King Edward, indeed, was in apprehension that France might anticipate him by sending a force into Scotland, and giving him work at home. At last, in the autumn of 1339, to the joy of the national party in Scotland, it became known that a force had set sail from England to invade France. Like the death of Edward I., here again was a turning-point in the chances for Scotland. Whether as the sole object of ambition to two such potent spirits as Edward III. and the Black Prince, Scotland could have held her own to the end, may be doubtful. It is certain that the struggle, if it lasted, must have been more critical and bloody even than we have found it. With the most accessible and valuable part of Scotland almost in his hands, King Edward must have been sorely tempted ere he followed a course that compelled him to loosen this hold — we may believe that his grandfather would have selected the nearer and more promising field of enterprise.

At this time the broken-up adherents of the national party had so far concentrated as to be under general

leadership. Their first head was Andrew Murray of Bothwell, the son of Wallace's favourite colleague. He was a tried warrior, and had a career second only to that of his old master, Bruce, in personal hardship and adventure. He was chosen regent soon after the battle of Duplin. In 1335 he gained a considerable battle at Culbleen, on the slopes of the higher Grampians, in the west of Aberdeenshire. The leader of his opponents was that Earl of Athole who has been spoken of as one of the great barons who really belonged by birth and education to England, though they had claims in Scotland. He met in the battle of Culbleen a heroic death; and the chronicler Wyntoun describes how, when deserted by the flight of his followers, he set his back to a rock, and said it should take flight as soon as he. Murray harassed King Edward in his march northwards in the following year. In 1328 he died, and the Steward of Scotland, then twenty-two years old, succeeded him as regent. There was then again gradually emerging out of the recent chaos a visible Scotland to be governed. The Steward's high position, if not his talent, gave him command; for he had been the parliamentary heir of the crown, and would have worn it but for the birth of his cousin David.

Early in the year 1339 Edward Baliol left Scotland —a token that the national party had made such head as to render his living there uncomfortable. He became a hanger-on at the Court of England, where he must have been a costly guest, if we are to judge from the many warrants preserved among the English records for the payment of his debts and the maintenance of his establishment. It was a further token of

progress that in May 1341 King David returned from France with his queen, Johanna of England. He was yet but seventeen years old, yet the Regent appears to have given over to him the government.

Perhaps the best measure of the very gradual restoration of the country to itself is in the events connected with the possession of the strongholds. In the year 1337 several fortresses in the north were recovered, such as Dunnottar and Kinneff, with Falkland, in Fife. A much more important achievement was the taking, in the same year, of the Castle of Bothwell, on the Clyde. We can see from the character of the fragments still remaining that it must have been a strong fortress, then recently built after the new system of fortification. Its capture had a significance, from its place in the centre of one of the most fruitful districts of the new dominions of the King of England. On the opposite side of these dominions, and in a district still richer, stood one great fortress which had not yet fallen to the English—Dunbar. It was determined that a mighty effort should be made to take it, and siege was laid to it by a large force under the Earl of Salisbury in 1339. The governor, the Earl of March, was absent; but his wife, a daughter of the favourite hero Randolph, immortalised herself by the resolute and indefatigable resistance headed by her. She is known in history and tradition as Black Agnes of Dunbar, a nickname given to her, as it is said, for her swarthy complexion. Helped from the sea, the fortress, under its "she-captain," held out so stoutly that Salisbury, with intense reluctance, withdrew his force.

In 1339 Perth, Cupar, and all the important

strengths north of the Forth, were in Scottish hands. Before the end of the same year the English suffered a more serious loss in Stirling, so that the Scots commanded the highway into the dominions which had been made over to England. Edinburgh Castle was recovered in 1341, and, scarcely of less importance, Roxburgh in 1342.

This last achievement connects itself with some incidents, which tell us all too distinctly of the mischief which the recent nature of the war was doing to the Scottish character. Down to the death of Alexander III. there had been a long peace, and a country consolidating and prospering. After that came a great national war, full of hardships and miseries, but healthy in its influence on the national character. But now for some years the struggle with the invader had been mixed up with a civil war, in which Scot fought with Scot from personal or mercenary motives. Hence began a system of internal enmity, in which quarrels and legacies of vengeance passed from generation to generation, becoming fruitful in events which threw deep scandal on the national character. The earliest of these is only too characteristic of the many that followed. The hero of the capture of Roxburgh was Sir Alexander Ramsay of Dalwolsey, or Dalhousie; as a reward for this service he was appointed Sheriff of Teviotdale. There was another hero of the war, however, who counted that the sheriffship belonged, or should belong, to himself: this was Sir William Douglas, called the Knight of Liddesdale, a natural son of the good Lord James. He was one of the most audacious and successful leaders in the guerilla war of his day. He was knightly, too, in his bearing, and

earned the applauding title of the Flower of Chivalry. His conduct on this occasion was a poor justification of the title. Coming from his Castle of Hermitage, which he had taken from the English and kept, he seized the sheriff while, as it is said, he was transacting the business of his office, and dragged him to Hermitage, where he thrust him into a vault and left him to die of starvation.[1] By this act Douglas gained what he wanted—the murdered man's office—and became governor of Roxburgh Castle. Afterwards, a prisoner in England, he became mixed up with transactions giving grounds for inevitable suspicions that he was ready to betray the national party to King Edward. While he was yet a captive, David de Berkeley was murdered in Aberdeen; and it stands charged against Douglas in the chronicles that he hired the murderers, in revenge for a family injury.[2] He fulfilled the proverbial fate of the bloody and deceitful man. He had in some of his acts given deadly umbrage to his kinsman, William Lord Douglas, at whose baptism he had stood as sponsor, and this godson murdered him as he was hunting in Ettrick Forest.[3]

King Edward's foreign war compelled him to submit to several truces with the Scots. These were not easily kept. It was not as of old, when crossing the border broke the truce. The southern districts of the country were half ruled by England, half by Scotland. The truces required that the Scots should abstain from molesting, not only the inhabitants of England, but the

[1] The author of the Scalacronica says that Ramsay's death was a judgment on him for taking Roxburgh on Easter Day, "at the very hour of the resurrection."—See the abstract of the lost passages in Leland, vol. i. 558.

[2] Scotichron., xiv. 7.

[3] Ibid., xiv. 8.

King of England's subjects in Scotland. But the very possession by the Scots of certain strongholds within the boundaries occupied by these subjects was in itself a waging of war; and as the national party waxed stronger they were not content to restrain the war within their own country, but recommenced the old raids across the border when Edward was with his army in France. As Shakespeare puts it, in the words of Henry V.—

> "The Scot,
> Who hath been still a giddy neighbour to us.
> For you shall read that my great-grandfather
> Never went with his forces into France
> But that the Scot, in his unfurnished kingdom,
> Came pouring, like the tide into a breach,
> With ample brim and fulness of his force,
> Galling the gleanèd land with hot essays,
> Girding with grievous siege castles and towers,
> That England, being empty of defence,
> Hath shook and trembled at th' ill neighbourhood."

It appears to have been by desire of the French Court, and in pursuance of the alliance with France, that a serious invasion of England was at last projected. King Edward was busy with the siege of Calais in 1346, when a large Scots army assembled at Perth and marched southwards. They were under the command of King David, then twenty-two years old. He had been educated in a bad warlike school for effective service in Scots warfare. Feats of arms which had nothing to recommend them but their dashing character, headlong acts of audacity done in the spirit of gambling with the most momentous interests, had become fashionable among the chivalry of Europe, and especially in France. It was more to the spirit of rash adventure than to deficiency of prowess or courage that France owed most of her disasters; and her ally

seemed to participate in the same spirit, to be led to like results.

The array of the north of England was called out under the authority of the Archbishop of York. Again the force organised was conspicuous for the number of clergy embodied in it, but this time they were in better hands than on the fatal day of the Chapter of Mittan, for the archbishop had two warlike assistants, Henry Percy and Ralph Neville. The Scots army reached the neighbourhood of Durham, where events showed that the organisation for intelligence was signally imperfect. The Knight of Liddesdale, on a foraging party, found himself face to face with the English army. The party fled, much diminished by slaughter, to the protection of their own lines. They brought their pursuers with them, and thus the Scots army were aware of the presence of the enemy in that very discouraging shape—the reception of a scattered body of fugitives. On the 17th of October 1346 the two armies fought. For the second time at least the Scots suffered terribly from that scourge for which they were unprepared — the English archers. To charge them in flank with a party of horse, as at Bannockburn, was the remedy. It was suggested by one of the commanders, but the suggestion was useless, as the means had not been provided, and could not be improvised. It was a complete victory to England; and what crowned the calamity for Scotland, King David was carried off a prisoner. The Steward and the Earl of March, who were next in command, drew away the remnant of the army. Froissart threw a romantic interest over this English triumph, by a story that the victorious troops were led by that gentle queen, Philippa, who interceded for the burgesses

of Calais; but this has not the confirmation which so remarkable an incident would certainly have had from native authors.

This victory is connected with other legends and reminiscences, which show the importance given to it in England. It was more than a mere victory by human prowess; the intervention of the Deity was clearly visible in it. An old memorial, which relates the legends of its day, and describes some trophies of the victory, preserved at Durham, tells how, on the night before the battle, there did appear to John Fossour, then prior of the Abbey of Durham, a vision commanding him to take the holy corporax cloth wherewith St Cuthbert did cover the chalice when he used to say mass, and stick it on a spear-point as a banner, wherewith he was to take up his stand on the Red Hills, and there abide until the battle that was to be should be over. The prior gave full obedience to this injunction, "taking the same for a revelation of God's grace and mercy through the mediation of holy St Cuthbert." Standing on the Red Hills with his monks around him, all prostrate in prayer, there came crowds of the Scots running towards them, who pressed on them with evil intent, but had no power to commit violence on holy persons so occupied and protected. They witnessed, ere the battle was over, "many conflicts and warlike exploits;" but of these they give no account, deeming them a secondary matter of mere detail when weighed with the preparations for securing victory made by themselves.

The loss to the Scots is described as the capture of their king, "and with him were taken four earls, two lords, the Archbishop of St Andrews, one other bishop,

one knight, and many others." Among the slain, besides "many lords and Scotsmen, to the number of, one and other, fifteen thousand," are included that mystical body, "seven earls of Scotland."

The abbot has another loss to record, quite as great in his eyes—infinitely greater in its gain to the patrimony of St Cuthbert: this was the Black Rood of Scotland, so important as a national palladium that, after its removal by Edward I., it was got back by treaty. It was kept, as we are told, in Durham Abbey, on the pillar next St Cuthbert's shrine in the south aisle. The national banner of Scotland, and several leaders' pennons, were a fitting accompaniment to this prize.

The importance of this battle is shown in the solemnities with which it was commemorated. The prior caused make a goodly and sumptuous banner, with pipes or rings of silver and various costly decorations. The corporax cloth was let into the centre of this banner, which was kept in a chest in the "Ferretorie," to be carried in the abbey on festival days, and especially to be displayed in battle. A cross was erected on the place where the monks assembled; a more gorgeous cross was erected on the field of battle by Sir Ralph Neville—hence the field afterwards obtained its name. It stood until the year 1589, when it was destroyed, apparently by some zealous reformers.[1]

[1] "An antient memoriall collected forth of the best antiquaries concerning the battell at Durham in John Fossour tyme," printed in the 'Antiquities of the Abbey and Cathedral Church of Durham,' and more accurately in the 'Rites of Durham,' by the Surtees Society. The conclusion shows that the author of the memorial was alive at the time of the destruction of the cross: "which so did there stande and remayne most notorious to all passingers till of laite, in the yeare of our Lord God 1589, in the nighte tyme, the same was broken doune and defaced by

King David was taken to the Tower of London with a train of captives. We find in the English writs of the day provision made for the detention of the bulk of these as prisoners of war waiting for ransom. These are spoken of as Scots; but two of high rank were reserved for punishment as traitors—the Earls of Menteith and Fife. It was charged against them that they had sworn allegiance to Edward, King of Scotland, holding that fief as vassal to the King of England—a specialty repeated, as usual, at every turn of the proceedings against them. These were peculiar—a sort of compromise between the trial of an English subject and the condemnation of an alien captive, like the proceedings against Wallace. A commission was appointed for their trial, but the sentence to be pronounced on them was sent from Calais, as adjusted there by the king and his council. The sentence was death in the cruel manner of the English treason law; on Menteith it was executed, but Fife was spared.[1]

The English army crossed the border, and their success gave temporary animation to Edward Baliol, who helped them. He held the Castle of Caerlaverock, memorable for its siege by Edward I. Roxburgh and Hermitage were retaken; and England recovered for the time a hold on Tweeddale, Teviotdale, Ettrick Forest, Annandale, and Galloway—fully half of the district

some lewde and contemptuous wicked persons, thereunto encouraged as it seemed by some who loveth Christe the worse for the crosse sake, as utterly and spitefully dispising all auncient ceremonies and monuments." The memorialist describes the cross with "three steps aboute yt every way, four squared to the sockett that the stalk of the cross did stand in, which sockett was mayd fast to a four squared brod stave," and so on with a minuteness that becomes tiresome.

[1] Fœdera (Record edition), iii. 95, 108.

made over to Edward III. by Baliol.[1] The Steward now again became regent; and it says much for the constitutional spirit of the times that it seems never to have been in his view, or that of his supporters, that he should be made king, though many good reasons besides his parliamentary title might have been found for such an arrangement. After the inroad following the battle of Nêville's Cross, there comes a lull in the affairs of Scotland such as England would not be expected to permit after having dealt so heavy a blow. A truce was arranged with France, and included Scotland. It lasted by renewals down to the year 1354.

King David was conveyed through the city of London with great pomp and pageantry; there was on the part of the Government an abundant chivalrous display, and the great corporation was invited to show its splendours on the occasion. But afterwards the acquisition seems to have given more embarrassment than satisfaction to the English Government, heavily involved as it had become in Continental politics from Spain to Sweden. If there was glory to the Londoners in the possession of illustrious captives and refugees, it must have been well satisfied after the field of Poictiers. Besides many grandees, some of royal birth, they had

[1] Scotichron., xiv. 5. Here Bower says the English marches were at Cockburnspath and Soutra at one end, and at Karlynlippis and Crosscryne at the other. One of these points is easily identified with Carlops in the Pentlands, among the scenery of the 'Gentle Shepherd.' The site of the other point is doubtful. Macpherson, in his 'Geographical Illustrations of Scottish History,' generally a very satisfactory book of reference, deals with this question in an extremely equivocal way: "Crosscryne," he says, "is apparently a cross on the Cairn hills;" and on turning to the head Cairn hills to see where they are placed, the answer is, "*v.* Crosscryne." There is a spot called Corse Cryne near Biggar, in Lanarkshire.—Stat. Ac., vi. 359.

three of kingly rank—John of France, David, and Edward Baliol. It was to the last of these only, however, that the title of king, or rather ex-king as it had then become, was conceded. The others were "John de Valois," or sometimes "our adversary of France," and "David de Bruce."

On the English state papers of the day there are traces of negotiations with King David, the purport of which is kept secret.[1] There are powers given for the ultimate release of the king on satisfactory conditions, but those conditions are not intrusted to writing. Negotiations of this kind always excite suspicion; and among the theories set afloat on this occasion, one is that David had listened to proposals for his release on the condition of acknowledging Lionel, the younger brother of the Black Prince, as heir of the crown of Scotland; but that no satisfactory assurances could be given by him that such an engagement would be fulfilled. The English Government might indeed by this time have known the futility of parchment stipulations for the annexation of Scotland, and that no one had power to dispose of the liberties of the people. Their remedy for such a disposal of their allegiance would have been the simplest possible—the acknowledgment of the Steward as king, by a mere anticipation of what was to be on David's death. It is suggestive to note at this time a paper, which shows a sense of the spirit in which the Scots took all questions of government—that of retaining their ancient customs and liberties. A proclamation is issued, intimating that all the Scots who shall come to King Edward's peace and obedience shall enjoy the old laws, liberties, and customs enjoyed

[1] Secretæ Instructiones, Fœdera (Record edition), iii. 242.

by their ancestors in the days of Alexander III.[1] It was now far too late in the day for such promises to have any effect—even if, coming from the King of England, they could ever have found reliance. It was in fact but a mimicry of those promises to the English people for the renewal of the charters—promises which never were kept when they could be broken.

The English Court at last found that the best they could make of their acquisition was a pecuniary speculation. There is a wearisome succession of treaties on this matter, in the course of which David was permitted to pay a visit to Scotland, giving hostages for his return. The ransom of David was at last adjusted at a hundred thousand merks, and the Estates of the Scots Parliament acknowledged this as a national debt. A nation's faith, however, was hard to bind in that age and long afterwards, and the elaborate mechanism adopted on this occasion affords a study in legal and diplomatic ingenuity. Each of the Estates—the Church, the Baronage, and the Burgage—grants a separate obligation, each binding on its own body at large, and especially on certain individual members who become personally responsible.[2] These documents are full of oaths and promises; of special obligations to submit to all kinds of authorities, clerical and lay,

[1] "In legibus, libertatibus, et liberis consuetudinibus, quibus ipsi et eorum antecessores sui tempore celebris memoriæ Alexandri quondam Regis Scotiæ rationabiliter uti et gaudere consueverant, &c., manuteneri et nostro nomine prout justum fuerit conservari."—Fœdera (Record edition), iii. 237.

Afterwards, in 1356, a similar declaration is specially made to the inhabitants of Teviotdale, spoken of as giving loyal service against the king's enemies of Scotland.—Ibid., 331.

[2] The list of persons responsible for the burghs as given in the Fœdera may be compared with the many Norman-sounding names we have come across in dealing with the nobility of Scotland.

that can extract the money from them, and to take advantage of no laws or powers by which they can exempt themselves. Great pains were taken to oblige the debtors not to seek any Papal exemption from their obligations, and to reject any such exemption if it should be issued; and that this was a real risk is shown by a little incident connected with the affair. France subscribed certain gold nobles to the ransom fund, under the condition that, should the Pope exempt Scotland from the debt, the money was to be spent on an invasion of England. The Papal Court at all events did not help in the payment. It was a special obligation on the churchmen that they should apply for a Papal confirmation of the debt as binding on the Church, but their request to be subject to this obligation was refused. But the best security that England obtained was real and personal. Several of the chief Scots lords were named, including the Steward—three of whom must ever reside in England as hostages for the payment of the debt—along with twenty men of noble houses. Under these conditions King David returned to Scotland in the autumn of 1357.[1]

Throughout the tedious negotiations for his ransom, and even after he returned and reigned, he was ever called in the English documents David de Bruce, while Edward Baliol was called King of Scots, and in that capacity was heard as a party in King Edward's negotiations with "those of Scotland." Before the adjustment of David's release was accomplished, it seems to have occurred to Edward and his advisers that something might be made of Edward Baliol. He was absolutely in their hands, and must do for his very maintenance

[1] See Fœdera (Record edition), iii. 365 *et seq.*

what they might please to exact. Accordingly, in all due form they extracted from him, in 1356, an absolute gift and surrender of his crown and kingdom of Scotland to King Edward and his heirs, and livery and seisin of the transference were taken in all proper form. It is part of the spirit and practice of feudal conveyancing to set forth the consideration for any transference of power or property—absolute gifts for no reason were discountenanced. Edward Baliol gave as his reason for the transference, the turbulent nature of his Scottish subjects, and their rebellious practices against, not only himself, but his Lord Superior. In a separate indenture Edward of England acknowledged the donation, and granted to the donor of it an annual pension of two thousand pounds, to be paid at stated quarterly terms. The bundle of carefully drafted papers in which the stages of the transaction are recorded, had little chance of producing any immediate effect on the fief so given up to its lord superior. These parchments, however, might come to be of use at some after time to the crown of England, and it was as well to have them, as they could be easily got.[1]

Baliol was the more thoroughly at the mercy of the King of England, that his estates in France had been forfeited as those of an enemy—a natural effect of the alliance offensive and defensive between France and Scotland.[2] Crippled and endangered as she was, France endeavoured to help her ally. Considerable

[1] See them at length in the Fœdera (Record edition), iii. 317 *et seq.* The designations of the parties in the preambles of the writs may be thought interesting; they are, "Tresexcellentz et Puissantz Princes Monsieur Edward, par le grace de Dieu Roi d'Engleterre et de France, d'une part, et Monsieur Edward de Baliol, Roi d'Escoce, d'autre part."

[2] Michel, Les Ecossais en France, i. 66.

sums of money were sent to assist the Scots. What was less needed, yet showed goodwill, a small body of men-at-arms was sent over in 1355 under the command of the Sieure Eugene de Garancier. They partook in the most important warlike affair undertaken by the Scots during their king's captivity—an attempt to recover Berwick. The town was taken and pillaged, but the castle held out and gave protection to many of the citizens; nor could the town be retained while such a neighbour remained with the enemy. Edward himself, just returned from France, appeared before it with such a force that there was no alternative but capitulation. The town was taken by the Scots in November 1355, and lost in the following January. In that short period the French force, which had done good service, was allowed—nay, it would appear, pressed—to depart. The Scots were more in need of money than of men. The French were luxurious and troublesome guests, and the Scots felt ashamed of the sordid poverty in which a long war for existence involved them. Having brought a fine army into Scotland—the chronicles say it was eighty thousand strong—King Edward was determined to do more than merely rescue Berwick. He marched onwards to the Forth. The old Scots policy for exhausting an invasion was followed up very successfully. He had no opportunity of fighting a battle, and found the country empty both of men and food. He had commissioned a fleet to import a commissariat, but the vessels were dispersed by the winter storms. It was necessary to retreat and disperse the army—a course which such a king as Edward, after the mighty preparations he had made, must have taken with ex-

treme bitterness of disappointment. It was, perhaps, this feeling diffused through the army that rendered it extremely destructive. It left marks and recollections very inimical to the policy of King Edward, whose object was to let the Scots feel that he would make a good ruler over them. The invasion was specially noted by the mischief done to the religious houses, especially to the church of the Franciscans at Haddington, which had a place in the admiration of the country as "the Lamp of the Lothians." This was a scandal which his grandfather would have carefully avoided.

These devastations had the effect of reversing the moral conditions of the quarrel between the two countries. From the Battle of the Standard down to that of Neville's Cross, the English monks who chronicled events had been able to represent the cause of Scotland against England as that of the unbeliever against the Church, especially manifested in the destruction of holy things, and the slaying of holy men within the sanctified territory of St Cuthbert. This spiritual weapon had now changed hands. The chronicles are full of the impious barbarities of the English soldiers and sailors, and the awful judgments by which they were avenged. Walter Bowmaker, for instance, narrates an incident told to him by a good and very trustworthy friend who was present and saw it happen, being twelve years old at the time. Certain English sailors invaded the church of Whitekirk, on the coast of East Lothian, where was a shrine of the Virgin endowed with costly gems. One man snatched a ring from the Virgin's image so rudely as to mutilate the finger it belonged to, when forthwith a crucifix fell from above and dashed his brains out. It was

recorded that a ship laden with the spoil of this and other sacred places was attacked by a vehement tempest and foundered off Tynemouth.[1]

Though the English expedition fell far short of any success adequate to its pretensions, yet it appears to have regained a great part of that southern district which Baliol had presented to the King of England, which had been really brought under subjection, but which had been gradually absorbed again into Scotland. We know that a great part of this country near the English border remained for many years in peaceable possession of the English crown and subject to English administration, exercised, according to proclamation, in conformity with the old customs of Scotland. In the succession of truces and the complicated negotiations about the release of the king and the payment of his ransom money, Scotland had to let these acquisitions alone. An Act of the Scots Parliament of the year 1367 takes notice of these districts as inhabited by persons at the peace of the King of England, and makes provision for preserving a record of the succession to estates within them held to belong to the subjects of the crown of Scotland who cannot enter on possession of them.[2]

[1] It was probably on account of the particular form in which this shrine displayed its miraculous powers that the celebrated Æneas Sylvius, Pope Pius II., thought it would be a suitable recipient for his thankfulness on the occasion of safely landing in Scotland after a stormy perilous voyage. He made a pilgrimage accordingly, from which he frankly admits that he had anything but benefit in the flesh, whatever else he gained. In fact, the walking ten miles thither and ten miles back barefooted on the frozen ground seems to have given him a chronic rheumatism, which held by him to the end of his days, and even while he sat in St Peter's chair.—Campani, Vita Pii II. The editor of the Statuta Ecclesiæ identifies the "Phanus" as at Whitekirk.

[2] Act. Parl., i. (Dav. II.) 145.

The return of their king after his long exile did not happen, in this instance, to be among the events in which a people acknowledge themselves as blessed by a long-desired and long-deferred boon. After the splendours of London, where crowds of illustrious persons assembled either as captives or guests, he seems to have felt the sordidness of his position in his own kingdom as intolerable. He went back to England over and over again, though each visit put him in danger of detention there, if on no other ground, as an additional pledge for the payment of his ransom money. This was a heavy burden on all ranks of people in Scotland, and, for all that vigorous efforts were made to complete it, fell into arrears. Every visit required stringent engagements for his restoration to his people, yet he could not keep himself among them. His domestic life did not commend him to their affection; it became matter of public talk, from the mysterious murder of a female companion who had accompanied him from England.

In 1362 the queen, Johanna, Edward's sister, died childless. She seems to have been a faithful helpmate to her husband through all his changes of fortune. She came with him from France. We find her afterwards obtaining a licence to join him in his captivity in England, and she was included in the passports to revisit England after his release. Her brother's policy did not permit him on these occasions to give her the title of queen, and he addresses her as our dear sister Johanna.

Next year David married a certain Margaret Logie, of unknown family. So entirely isolated indeed was she, either from the very humble condition of her relations

or other reasons, that we have no trace of any one receiving or seeking court favour or political influence as a relation of the queen, although this is a phenomenon that hardly ever fails to follow a royal marriage, and the more surely to follow it the more unequal it is. It was an instance of entire surrender to personal attractions—a love match, as it would be termed, if there had been more romance in it. It was a thoroughly imprudent, indeed a dangerous act. Though King Edward III. was no friend of Scotland, it made a sort of standard of equality that his sister should be queen, and putting an obscure person in her place seemed to be courting the humiliation to which he would fain reduce the King of Scots. The king's partiality for England, and doubts and suspicions about his doings there, had spread an irritation and restlessness which almost broke into insurrection.

The Steward was the parliamentary heir to the throne; and he and his many adherents could not look with much satisfaction to the marriage of a man not yet forty years of age, whose offspring might supersede him; and if they could not graciously object to such a step in itself, such considerations would not tend to reconcile them to offensive specialties in his method of taking it. We find him taking his new wife in his journeys to England, where, for aught that the credentials obtained from the English Court show, she was as highly honoured as her predecessor of the English blood-royal. They went together on a pious pilgrimage to the tomb of St Thomas a Becket. The end of the affair is mysterious. The chronicles say that she was divorced from the king, and that she got a hearing against the decree at the Court of Rome; but there is

no distinct evidence either as to the ground on which such a process was raised against her, or the conclusion reached by it.

After the release of King David the truces continued to be renewed, and there was little show of war on either side. Yet the independence of Scotland was then in extreme danger. The raising of the redemption money payable to England was matter of great difficulty: it fell, in fact, into arrears, and then, after the manner of usurers, there was a heavy penal percentage on the original obligation. The communications on this matter between the two Courts have less the appearance of diplomacy than of a private correspondence, in which a hard creditor pushes to the utmost a debtor extremely anxious honestly to pay his debts, and extremely anxious to avoid both the scandal and the penal results of unpunctuality. Then it was among the anxieties and suspicions of the patriotic, that whenever the creditor showed leniency, he had something more dangerous in view than the exaction of money. It was believed that there were plans for the annexation of Scotland to England, and that the king was a party to them. The chroniclers tell us how all suspicions were confirmed. At a parliament held at Scone in 1363, the king suggested to the Estates that they should select as his successor one of the sons of the King of England, especially recommending to them Prince Lionel; they might be assured that if they did that King Edward would, for himself and his representatives, abandon all claims inconsistent with the independent sovereignty of the country. The Estates, according to the chronicles, at once without hesitating, by a sort of acclamation, rejected the proposal as inadmis-

sible; no, they would have no Englishman to reign over them.[1] The records of this parliament, published in recent times, not only attest the rejection of the proposition when proffered by England, but even through their technicalities bear the impress that the rejection was made impulsively and disdainfully.[2] In the record of a parliament three years later, reference is made without entering into detail to four propositions: homage, the succession, the dismemberment of the kingdom, and the subsidising of an armed force to England. It was resolved that all but the last should be flung back as intolerable and not to be admitted to deliberation.[3]

The English state papers reveal to us a transaction occurring between these two parliaments which, had it been known in Scotland, would have confirmed the worst fears of the country. It is a memorandum of an arrangement or private treaty between the King of England and the King of Scotland. Its purport is, that the King of England for the time being should succeed to the sovereignty of Scotland on King David's

[1] "Cui breviter et sine ulteriori deliberatione aut retractione, responsum fuit per universaliter singulos, et singulariter universos de tribus statibus, NUNQUAM SE VELLE CONSENTIRE ANGLICUM SUPER SE REGNARE."—Scotichron., xiv. 25. Wyntoun has it—

> "Thare til the States of his land,
> That in consal ware sittand,
> He movit and said he wald that ane
> Of the Kyng Edwardys sonnys war tane
> To be kyng into his sted
> Of Scotland, after that he ware dede.
> Til that said all his liegis, Nay:
> Na thai consent wald be na way
> That any Inglismannes son
> In-to that honour suld be dune."—viii. 45.

[2] "Nullo modo voluerunt concedere nec eis aliqualiter assentire."—Act. Parl., i. (Dav. II.) 135.

[3] "Finaliter refutatis primus tribus punctis tanquam intolerabilibus et non admissibilibus deliberatum."—Ibid., 139.

death. Scotland is neither to be a fief of England nor to be absorbed in that kingdom; it is to be entirely separate and independent, the head of the house of Plantagenet being separately crowned and inducted as King of Scotland. The arrangements for preserving the independence of the country might merit detailed examination, if the conditions had ever come up for practical adoption, or indeed been publicly known. They are the mere purport of a secret conference, the evidence of which might have been obliterated by the voracity of a rat or the many perils to which such parchments are liable. It stands alone as a mere jotting or memorandum, on which nothing was done. To have been feudally complete it must have been followed by a heap of ceremonies and notarial instruments. It is distinguished from its companion parchments by a special phraseology—the party to it is, for once, David, by the grace of God King of Scotland. It would have been illogical for one who was not a king to give away a kingdom. That the project was speedily abandoned is shown by the immediate resumption of the old form by which the King of Scots is recognised in the Fœdera—David de Bruce.[1] Though this affair may not have been known in Scotland, and though peace continued, yet there were abundant elements of apprehension. We can easily believe, therefore, that there was cordial satisfaction in the country when, in 1369, King Edward was again called abroad, and anxiously negotiated a fourteen years' truce with Scotland.

The parliaments held after the release of King

[1] "Super nomine regnorum Angliæ et Scotiæ colloquium et tractatus."—Fœdera (Record edition), iii. 715, 723.

David showed a sort of surly resoluteness in checking abuses and stretches of the prerogative. There was a general admonitory resolution demanding that strict justice should be administered between man and man in the courts of law, and that favour should be shown to no one. It was enacted that writs issuing from the King's Chapel in Chancery were not to be recalled—that is to say, that actions at law once begun should proceed before the proper tribunals in common form, and should not be stopped at the instance of any powerful person. Royal remissions for damage or injury done were to be null, unless the persons injured were satisfied. It was enacted that no justiciar, sheriff, or other ministerial officer of the crown, should execute any warrant, be it under the great seal, the privy seal, or the signet, if it were contrary to statute or common form of law. Beyond the established feudal dues nothing was to be taken from the community for the king's use without prompt payment. Horses were not to be sent to graze on peasants' lands; and those who infringed this rule were to be liable to penalties according to the amount of damage done and their station in life. Complaint was made that the burdens of the country were aggravated by the gift of royal estates and rights of feudal dues to favoured persons. These were to be resumed, so that the property of the crown should be restored to its original state at the time of King Robert's accession;—if it was thought fit to reward any one for meritorious service, let it be done by advice of the council out of the movable property of the crown. The liberal supplies granted to the crown were to be used for the special purposes for which they were raised, such as the payment of the

king's ransom, and not diverted to other purposes. This, whatever effect it had in practice, announces the principle of the double parliamentary control of the present day—a vote for the appropriation as well as for the granting of the supplies. It has been noticed that in the collections of the Scots Acts made in the early part of the seventeenth century, some of these enactments are omitted, although they existed in the manuscripts from which the collections must have been made.[1] This is in character with a propensity at that period to overlook whatever bore testimony, during earlier times, to the freedom of the people and the control on the royal prerogative in Scotland.

The only active affair in which King David became concerned after the inroad in which he was made captive, was an expedition to bring the outlying districts of the Highlands and the Isles under complete subjection, and especially to make them contribute to the taxation of the country. John of the Isles met him at Inverness, promising submission and everything that was desired—an engagement of the value of which we shall have occasion to take account. This was in the year 1369. The king was then close to his end; he died on the 22d of February 1370. Nominally his reign was long—it had lasted for forty-two years—yet at his death he was but forty-seven years old.

[1] Preface to the Scots Acts.

CHAPTER XXVI.

Narrative to the Death of Robert III.

ACCESSION OF ROBERT THE HIGH STEWARD—HIS DYNASTY CALLED THE HOUSE OF STEWART—TROUBLES IN ENGLAND—SCOTLAND'S PROFIT IN TRANQUILLITY — RENEWAL OF THE LEAGUE WITH FRANCE—IDENTITY OF THE INTERESTS OF THE TWO COUNTRIES —A BODY OF FRENCH KNIGHTS COME TO SCOTLAND—WHAT THEY SAW THERE—A LARGER BODY FROM FRANCE, BROUGHT BY THE ADMIRAL JOHN DE VIENNE—DIFFERENCE BETWEEN FRENCH AND SCOTCH NOTIONS OF WAR—DIFFERENCE BETWEEN THEIR NOTIONS OF CIVIL RIGHTS—ANGRY RETURN OF THE FRENCH—THEIR GIFT OF ARMS TO THE SCOTS—DETERMINATION TO INVADE ENGLAND —A DOUBLE INVASION BY THE EAST AND THE WEST — THE PERCYS—DOUGLAS—PASSAGE AT ARMS—THE BATTLE OF OTTERBURN — ITS FAME AND CHARACTERISTICS — DEATH OF KING ROBERT—HIS SON SUCCEEDS—HIS NAME CHANGED FROM JOHN TO ROBERT, WITH THE REASON — BATTLE BY TWO BODIES OF HIGHLANDERS ON THE NORTH INCH OF PERTH—DIFFICULTY IN EXPLAINING IT — INTERNAL EFFECTS OF THE LONG CONTEST WITH ENGLAND—AN ENGLISH INVASION — BATTLE OF HOMILDON — RICHARD II. OF ENGLAND, AND THE QUESTION OF HIS SEEKING REFUGE IN SCOTLAND — DEATH OF ROTHESAY, THE KING'S ELDEST SON — SUSPICIONS OF FOUL PLAY—HIS OTHER SON, JAMES, TAKEN BY AN ENGLISH FORCE ON HIS WAY TO FRANCE—ASCENDANCY OF ALBANY—DEATH OF KING ROBERT III.

ROBERT the High Steward succeeded his cousin, and was with all ceremony crowned and anointed at Scone. There is a whisper in the chronicles that the head of the house of Douglas intended to dispute the throne

with him. The genealogical conditions which probably created the rumour will come out in connection with subsequent events. Meanwhile no sayings or doings on the part of the house of Douglas took such a shape as to leave any disturbing mark on the peace of the country: in fact, the succession of a son to a father could not pass more quietly than this change of dynasty. Upwards of fifty years had passed since the parliamentary declaration of his title at the suggestion of his illustrious uncle. The rule of David was almost that of an interloper; and though his reign was long, there was so little of it real that its continuance hardly modified its provisional character. The Steward, indeed, did little more when he was crowned than continue the governing duties which had been but occasionally interrupted. The name of his family was Allan, or Fitz Allan, but it had become habitual to call them by the name of the feudal office held by them in Scotland, and hence Robert II. was the first of the Steward, or, as it came to be written, the Stewart dynasty.

They obtained their feudal influence through the office enjoyed by their ancestors at the Court of Scotland—the office of Steward. We have already seen a family named Durward, so powerful as to be in a condition to plot for sovereignty in Scotland. This family is supposed to have also had its name from a hereditary office still more humble in its general character than that of the Steward — the Door-ward, doorkeeper, or porter. In their rise these two families are signal instances of that tendency of the feudal system to give political influence to those who were near the throne, even when

their functions, nominally at least, partook of a servile character.

The first business of the reign was the adjustment of the succession to the crown. It was adjusted in the hereditary line, which genealogical lawyers would say it ought to take without adjustment, but there was a strong feeling at that time that everything of public moment should be done by parliamentary authority. The prolific offspring of the king made this an easy task; heirs to come forward on the failure of older lines were so abundant that Scotland seemed for ever saved from the chance of a disputed succession, such as was speedily to desolate England. King Robert had in early life married Elizabeth, daughter of Sir Adam Mure of Rowallan. There were afterwards curious legal discussions about the question whether she had rightfully become his wife; but to all historical ends she was so, and hence the ancestress of a line of kings. By her he had four sons and six daughters. These strengthened the royal house by marriages with the most powerful families of the country; one of them became the wife of M'Donald, Lord of Islay and the Isles—a union no doubt intended to secure the allegiance of these half-independent regions. By his second wife, Euphemia Ross, the king had two sons and four daughters, who, like their elder sisters, made influential marriages. Thus was he thoroughly a patriarch king.

The difficulties and calamities which thickened round the latter days of Edward III. made King Robert's reign peaceful and uneventful. Diplomatic phraseology shows that this came of necessity, not goodwill, and that the English Government would have disturbed Scotland if it could. There was a little harm-

less bickering about the old difficulty. In rendering the instalments of the ransom of King David, care was always taken to proclaim in full the dignities of the King of Scots. Though thus accompanied, the English exchequer did not disdain to accept of the money. In acknowledging the receipt of it, however, no other name was conceded to the monarch who had paid it but "Robert of Scotland." The Scots expostulated against this, but could not remedy it. The money had been in each instance rendered: they could not get it back, and must be content with the form in which their creditor made out his receipts.

At the beginning of the reign the league with France was renewed in strong terms. A solemn embassy was sent to Paris, one of the ambassadors being Sir Archibald Douglas, and another Walter Wardlaw, afterwards raised to the dignity of cardinal. We are told that he had taught philosophy with applause in the University of Paris.[1] The league or alliance bound the two countries to each other by very strong ties. Neither was to make war or peace with England without the assent of the other. When England attacked one of the allies, the other was bound to give it aid. The danger of possible interference by France in the internal affairs of Scotland seems then to have been anticipated; it was stipulated that in the case of a disputed succession France was not to interfere, but was to leave the settlement to the Scots Parliament.[2] A separate document, already mentioned, exists, in which the King of France engaged himself to give special aid. He promises a hundred thousand gold nobles as a contribution to the ransom money of King David,

[1] Michel, i. 71.

[2] Fœdera, Scots Acts, i. 195.

with the provision that if there should be a Papal dispensation of that debt the money is to be employed in making war on England. There is a promise to send equipments for a thousand Scots, and to send to Scotland a thousand men-at-arms of France.[1]

The death of Edward III. in 1377 made no immediate difference to Scotland. England was still in difficulties. They came less from foreign relations than from the insurrection of Wat Tyler and other home troubles. To Scotland it was enough that her enemy was crippled, and that the evil day when the attempts at annexation would be renewed was postponed. England desired a renewal of the fourteen years' truce, and so earnestly that, to promote the object, she was prepared to be indulgent about the settlement of the arrears of King David's ransom.

The truce could not prevent almost continual petty warfare on the borders. England, in fact, had left there an incitement to contention. It could not be that, while part of Scotland was held under English rule, the neighbouring Scots should abstain from harassing the invaders and pressing them out. They were, in fact, by slow degrees gaining back the conquered territory; and in doing so, they felt that they had only the local influences of England to resist; the central government was too seriously employed otherwise to strike them. So for instance, in the year 1385, we find an Act of Parliament for reorganising the administration of justice among the inhabitants of Teviotdale, who, having been at the peace of the King of England, had, through the exertions of William Lord Douglas, been brought to the peace of the King

[1] Unissued vol. of Records of the Parliament of Scotland, p. 122.

of Scots.[1] At the conclusion of the truce in 1381 John of Gaunt marched to the border with a powerful army, but his professed object was to preserve peace and put a pressure on for the renewal of the truce. Soon afterwards this eminent person, needing refuge from his foes of England, found it in Scotland, where he was entertained with chivalrous munificence; this recalled the good old days when King Malcolm entertained the Aetheling and his sister.

At this time the interests of Scotland, and especially the question of future peace or war, were to a great extent in the hands of France. The identity of the interests of the two countries was becoming more visible, and their connection closer. In 1379, indeed, King Charles V. appointed a solemn embassy to Scotland, doubtless to keep the country right about its conduct on the conclusion of the truce. Owing, however, to some difficulties in which he got involved on his own side of the water, the appointed ambassador, the Lord of Bournezel, got no nearer to Scotland than the Dutch port of Helvoetsluys.[2] In 1383 the truce was readjusted between England and France, with the stipulation that Scotland might partake in it if she so willed. Ambassadors or messengers were sent to communicate with the Government of Scotland. They required to pass through England, and it was said that their letters of safe-conduct were delayed to let a blow be struck against the Scots before they had an opportunity of joining in the truce. At all events, after it was

[1] Scots Acts, i. 188.

[2] For an account of the Continental side of the French intercourse with Scotland at this time, the Author refers to his work called 'The Scot Abroad,' i. 110 *et seq.*

concluded the Earls of Northumberland and Nottingham suddenly and unexpectedly crossed the border with two thousand men-at-arms and six thousand bowmen, slaughtering and burning as far as Edinburgh. They had scarcely gone, when Scotland received an unexpected visit of a different kind. A body of distinguished knights in the service of France, some thirty in number, felt at a loss how to dispose of themselves in time of peace, and resolved to wander to some spot where they might find war. They knew that the truce had not been communicated to Scotland, and, putting to sea at Helvoetsluys, they landed at Montrose and found their way to Perth. They sent two of their number to Edinburgh to inform the Government of their arrival and of their desire to find employment in fighting with the English. At the very same time the ambassadors sent to communicate the truce arrived there. It was accepted by the Government; but, embittered by the recent English raid, the Estates would not accept of it. It is in the name of the sovereign that, even under the parliamentary rule of the present day, peace and war are made, and it might be said that the consent of Parliament could have had no influence on such a question, but England gave it an influence. Her public documents would not yet admit Scotland to be a sovereignty, or deal with the king, and the proffer of the truce was made to "our adversary of Scotland."[1] Perhaps the Scots did not much concern themselves with such a nicety. They were determined to avenge the last inroad from England; and, a little to the astonishment, and very much to the delight, of their visitors, these

[1] See *passim* Fœdera of the period.

were informed that for all the King of Scots said otherwise, they should have an opportunity of enjoying a raid into England. Froissart, who probably got his account from the French visitors, describes their delight in seeing fifteen thousand Scots mounted on their small horses ready to ride across the border "They began their march," says he, "through the woods and forests of their country, and entered Northumberland on the lands of the Lord Percy, which they pillaged and burnt. They advanced farther, and then returned through the estates of the Earl of Nottingham and the Lord Mowbray, to whose lands they did much damage."[1] It was thought natural that so large a force might attempt to recover Roxburgh Castle, still in the hands of the English; but the Scots army had too valuable a booty in cattle and prisoners to be thus risked, and they brought their new property home with all speed. An ambassador was sent to London to explain this affair, and express the desire of the Government of Scotland to partake in the truce. The inroad from England was pleaded in extenuation, and a pretty good case was made out for holding quits. Its reasonableness would hardly have sufficed to appease the wrath naturally felt by the English Government, but it happened that Lancaster was planning his expedition in Spain, and he was glad of a fair excuse for peace, so that the Scots ambassador brought back with him a peaceful answer. The strangers returned to France, where they reported what they had seen, and represented how eminently available Scotland might be made for checking and harassing England. Accordingly, when the truce was expiring in 1385, the

[1] Ch. c.

French, instead of urging its renewal, fitted out an expedition to Scotland of two thousand men, one thousand of them mounted men-at-arms. Along with these, and far more welcome, came a thousand complete stand of arms and armour, and fifty thousand gold pieces. The expedition was commanded by a knight of renown, John de Vienne, Admiral of France.

Scotland had received the thirty knights who landed at Montrose with such hospitality that they had no reproaches to make. But here were two thousand men; accustomed to the luxurious living of Frenchmen of the higher order—as Froissart says, "used to handsome hotels, ornamented apartments, and castles, with good soft beds to repose on." The entertainment of such guests was a serious national burden; in fact, it became too heavy, for the long war had brought Scotland to abject poverty. They observed that Edinburgh, the capital of the country, was inferior to the secondary towns of France, and contained but four thousand houses: in these only a portion of the two thousand could be harboured, and the rest had to seek still more sordid quarters in the neighbourhood, or in the smaller towns—some of them being scattered so far to the south as Kelso, and others northward in Fifeshire. They expected a splendid opportunity, however, for seeing the grand game of war; for England was resolved to make one of her great efforts for the annexation of Scotland. An army, said by the more moderate of the chroniclers to be fully seventy thousand strong, marched to the border, under the command of the young King Richard. The Scots doubled their usual force, and were able to muster thirty thousand. The king came to see his army and do courtesy to the

strangers, but his fighting days were over. The French chronicler describes him "with red bleared eyes, of the colour of sandal-wood, which clearly showed he was no valiant man, but one who would rather remain at home than march to the field; he had, however, nine sons who loved arms." There now arose a characteristic dispute between the strangers and the Scots leaders: Vienne was for an immediate battle; Douglas, for the Scots, proposed to follow the old established tactic of clearing the country, and only fighting when driven to the alternative of battle. In fact, to the French war was a pastime; to the Scots it was the serious business of the world, national life or death depending on success or failure. The dispute waxed hot, and the impetuous Frenchman spoke scornfully of the spirit of his Scots allies. He was only silenced by an incident, which shows how thoroughly the Scots understood the business of war according to their own method of conducting it—how well they knew the motions of the enemy while keeping their own unrevealed. Douglas offered to let the admiral see and count the enemy, and then decide on his course. Accordingly he was taken to the top of a hill, whence, to his amazement, he could see the whole English force as if it were reviewed before him. He estimated that he saw there six thousand men-at-arms and sixty thousand archers, and concurred in the hopelessness of meeting such a force in the field.

The admiral and his followers seem now to have thought that the war must come to an end—that there was nothing for it but a surrender. This was a conclusion, however, entirely unknown in Scottish warfare; and, still further to his amazement, the admiral was

made to understand that, while the great English army was left to do its worst in Scotland, his countrymen might have an opportunity of joining the Scots in an invasion of England. Accordingly, they swept Cumberland and Westmoreland after the old fashion. They were unmolested, for the country had been drained of men for the English army; and we are told that "the French said among themselves they had burned in the bishoprics of Durham and Carlisle more than the value of all the towns in the kingdom of Scotland." They returned to find desolation in Scotland. The great English army had marched to the Forth, finding little that they could even destroy save the religious houses. They made the incursion memorable by the destruction of the rich Abbey of Melrose.[1] Then came the established fate of such invading armies—starvation. It was early in the year, when the grain was but growing, while the Scots had driven their cattle and carried their ripe grain and other effects to the shelter of the nearest hills; and the fleet which was to have provisioned the English army failed it as usual. Thus each army went back to its own country.

The surprises which were to greet the French in this strange land were not yet over. No sooner was the English host fairly across the border than the desert became animated. The people crept down from the hills with their cattle and effects, and these received a contribution from the plunder of England.

[1] Some compunction seems to have been felt for this act. On 25th October 1389 an allowance was made to the abbey from the local customs of Berwick, *consideratione destructionis et arsinarum* which it had sustained from the King of England by his army.—Fœdera.

The Scots took the devastating of their land with marvellous indifference; and they needed but a few beams of wood to restore their burnt cottages and make themselves as comfortable as, in those unsettled times, they ever were.

Before they were done with Scotland the strangers were subjected to unpleasant experiences, from which, however, it is our good fortune to catch a singularly clear and significant picture of the social and political condition of the people. It is ever the stranger, indeed, who gives the liveliest pictures of the internal condition of a people, since he describes it by contrast; hence it was Montesquieu and De Lolme who first showed to the British people the actual practical elements of the freedom of their constitution. The French deemed themselves very scurvily used by the Scots, and their record of grievances shows the contrast between the slavish condition of the peasantry in their own country and the thorough freedom of the Scots. To an eminent Scot or other stranger in France it would be but natural to communicate, by way of hospitality, the power of the native nobles to live at free quarters and plunder the peasantry at their discretion. The French complained bitterly that they got no such privilege in Scotland. On the contrary, when they carried off a cow or the contents of a barn, the owner, with a parcel of ruffian neighbours, would assault the purveying party, and punish them savagely, insomuch that not a varlet dared leave the lines to bring in provisions. Nay, when they rode abroad, the people rudely called to them to keep the paths and not trample down the growing crops; and when the remonstrances of these churls were treated with the contempt they deserved,

a score was run up against the strangers for damage done to the country folks. Froissart's bitter account of this inhospitality is confirmed by the statute-book. The French took high ground, and it was necessary that from high authority they should be told of the incompatibility of their claims with the rights of the people. The Estates took the matter up, and required the admiral to come to agreement with them by indenture, the leading stipulation of which is, that no provender is to be taken by force, and everything received by the French troops is to be duly paid for. There is a provision for settling personal quarrels, which was equally offensive to the strangers, as it admitted the existence of civil rights in the meanest inhabitant of the beggarly country, by providing for the decision of disputes where there was disparity of rank.[1]

When, thoroughly tired and disgusted, they set about returning home, a new surprise awaited the unfortunate visitors. They were not to be permitted to leave the country, but were held in pawn for the claim against France for the debts they had incurred and the damage they had done. They were asked why they had come over—they were not wanted; Scotland could defend herself from her enemies; and they, coming as friends, had done more mischief than an invading army. The threat of detention, which they deemed preposterous, was quite serious, and remonstrance in high quarters was of no avail to control the rights of the creditors. The admiral got permission for a considerable proportion of his force to return, by taking their personal responsibilities upon himself, and agreeing to abide in Scotland until

[1] Act. Parl., i. (Rob. II.) p. 190.

these were discharged by the French Government. The exemption from aristocratic oppression enjoyed by the Scottish peasantry receives emphasis from contrast, when the chivalrous annalist describes the first things done by the ill-used knights on their arrival in their own country: "The greater number returned to France, and were so poor they knew not how to remount themselves, especially those from Burgundy, Champagne, Barr, and Lorraine, who seized the labouring horses wherever they found them in the fields."[1]

When they had got rid of their allies, the Scots made a second raid into England to sweep some ground that had been spared on the previous inroad.[2] The English force was now withdrawn, and it was an interesting question what policy Scotland should pursue. Quietness and preparation for defence would have been the natural alternative; but the blood of the country was up, and it had been found on more than one occasion that the best security for Scotland lay in being mischievous and dangerous to England. The occasion, too, was tempting. The great army that was to bring the long contest with Scotland to an end was dispersed, and the experience of those who had served on it was not of a kind to make good soldiers—it was, in modern military phrase, demoralising. But even if reassembled, there

[1] Ch. clxxiv.

[2] The account of this raid given by Bower in the Scotichronicon (xiv. p. 51) may be read as a highly characteristic specimen of a monkish chronicle of the period, tempered by national characteristics. It will be found to be transposed, word for word, from the vernacular into Latin, without any attempt at a classical remodelling of the sentences. The monk, in recording the event, leaves no trace of any regret that such things should be; if he feels anything, it is surprise that this rich and fruitful territory should have remained unharried since the days of Robert the Bruce.

was other work for it, for France was threatening an invasion of England on a great scale. The family disputes that paralysed the government of Richard II. were at their worst. But there was perhaps a still stronger temptation to the Scots, in seeing that the two opponents, who in union were so formidable to them on the border—the Percy and the Neville—had fallen at feud with each other.

It was the time, indeed, for accomplishing what had been suggested by the French—striking at the heart of England a blow that would be remembered for generations. The alarm of England, and the vastness of the preparation consequently made, had baffled this project when the admiral and his band came over. These were gone, but the more valuable feature of their mission remained—the thousand stand of complete mail. It had been reported by the previous band of adventurers that the Scots were poorly armed. We are told that the arms sent over were of the finest kind, selected from a choice store kept at the Castle of Beauté, near Paris, the central arsenal of France. The delight of those among whom they were distributed is described as something like that of children gaining prizes. This possession was a material addition to the warlike strength of Scotland. If it were not of itself one of the leading motives of the new expedition, yet it is evident that so unaccustomed a treasure gave a tone to that expedition. It was less economical in its temper than previous expeditions, where the object was to do the greatest possible mischief, and carry off the largest quantity of property at a small cost of life; on this occasion there was an unwonted display of chivalrous bravado.

The project was as carefully concealed from the king as from the enemy. A great assemblage was held at Aberdeen. Here, far from the place of warlike mustering, the whole project was planned. Those concerned then dispersed, as if their business had been completed; and each brought the forces he could command to a place of muster, some two hundred miles from the place of council, on the edge of the English border.[1] The force assembled was perhaps the largest Scotland had ever supplied. The best authority makes it fully fifty thousand. Such a gathering could not be made so quietly but that alarming rumours would pass to those in the north of England most nearly concerned. It was resolved to send a spy to the muster, near Jedburgh. An English gentleman undertook the duty, and got access to the church where the heads of the army were assembled, passing, as it appears, for one of their attendants. Returning to a spot where he had staked his horse, he found it gone; a well-accoutred steed unwatched was too tempting a prize in such a motley assembly. He attempted to walk away, but the sight of a person booted and spurred for riding walking off contentedly, without making any inquiry concerning his lost steed, roused suspicion. He was seized and compelled to serve the Scots with information instead of his own people. He was told that his life depended on his telling the truth, and telling all; and those who dealt with him were sagacious in dis-

[1] Froissart calls the place Zedon: this has been generally taken for Yetholm, the celebrated gipsy town at the base of the Cheviots. A local antiquary, however, makes out a better case for Southdean on the Jed, about ten miles from Jedburgh. He says its own people still pronounce it Sooden, which requires little variation to be pronounced like Zedon. —White's History of the Battle of Otterburn, p. 23.

tinguishing true from false information about warlike affairs. It was ascertained that the English, feeling themselves this time the feebler force of the two, were to follow the policy of the Scots in the last affair—invade Scotland while their enemy invaded England. Whichever were the direction in which the Scots passed southward—to the west by Cumberland, or to the east by Northumberland—the English were to take the opposite line northwards; and it was to enable them to decide between these alternatives that they had commissioned their hopeful spy.

This was valuable information. It helped the leaders of the Scots to a decided and distinctive tactic: they would invade England on both sides and puzzle the enemy. They had among them many who, from repeated invasions, were accurately acquainted with the country, and they believed that they could so adjust their movements that, if a battle became imminent, they could bring their divided army together. The particulars of their information decided them on sending the stronger division—in fact, the bulk of the army—by Carlisle and the west. It was commanded by Sir Archibald Douglas. The other division was to make a flying raid to divert attention, rather than an invasion; and Froissart says it was made up of but 300 picked lances, or mounted men-at-arms, and 2000 foot-men. They had the Earls of Douglas, Dunbar, and Moray for commanders. The policy of both divisions was to get speedily through the districts near the border, which had been so often pillaged, and frighten England by entering on new ground. It was to the smaller division on the east line that the most memorable share of the invasion fell; and they had passed so rapidly and

quietly, with abstinence from all plunder, that they were at the gates of Durham ere their presence in England was distinctly felt. Distant specks of fire, bursting out in successive ranges at night, and corresponding puffs of smoke in daylight, showed that they were at work, but their motions were too quick and devious to be otherwise traced. The country they were in had been long unpillaged, and they turned northwards heavy-handed with plunder.

There was a hasty consultation at Alnwick Castle. It was resolved that the Earl of Northumberland's two sons, Sir Henry, the renowned Hotspur, and Sir Ralph, should go to Newcastle, and gather round that strong place the chivalry of the north, while the earl himself abode at home with a smaller force; thus it was hoped the invaders, on their return, might find themselves between two armies. The northern barons assembled at Newcastle in great force. The small party of Scots remained there for three days, and several passages at arms, tournaments, or outpost skirmishes, were held by the two forces. It fell out that in one of these Douglas secured Hotspur's pennon, a signal triumph to the gainer —as great a mortification to the loser. Douglas aggravated this by crying out that he would raise it on the tower of his Castle of Dalkeith. Percy retorted with a vow that he should not carry it out of Northumberland. Douglas then, in the true spirit of the fashionable chivalry of the time, told him to come that night and take it; it would be found in front of the Douglas's tent.[1]

[1] It was, it seems, his Scots enemies who dubbed young Percy with his well-known nickname of Hotspur, eulogistic and genial rather than malignant. "Quem Scoti quondam vocaverant *Henry Hatspure*, quia ferventer eos infestaverat."—St Albans Chronicles, Annales Ricardi, ii. (Rolls edition), p. 245.

The Scots were prepared for a night attack, but the English barons were against it, for they were yet ignorant whether the Scots were a separate force, or merely a detachment of a large army skirmishing to draw the English onwards to destruction, and Percy's impetuosity was restrained.

The Scots drew off by Rede Water, where they took the Tower of Pontelands. They then passed on to another tower, bearing the renowned name of Otterburn: this they attacked in vain. Tired with the hard and dispiriting work of an unsuccessful siege, the question was, what next should be done? The general feeling was to take advantage of the remissness of the enemy and get clear home with the booty; but Douglas and a few others were of another mind. It was in the proper spirit of chivalry that the Percys should have their revenge; the honour of carrying off the pennon was hardly complete if its loser were not offered all opportunity for its recovery. This was the generous and chivalrous view, and from the humour the Scots knights were in it carried the day. But the rules of chivalry did not demand that they should neglect those of self-defence. They intrenched themselves with much labour and diligence. The remains of their works may still be seen, so strong as to carry the impression rather of a small fortress than a camp.[1]

[1] The remains of these works may be seen by going straight up the hill, behind the monument called Percy's Cross, a short way west of the village and the burn. It has often been supposed that the remains are those of an old hill-fort which the Scots had found and occupied, but they are so apt to the purpose in hand that they seem more likely to have been made for it. There is a chief enclosure with a strong double rampart, and the remains of some smaller works lower down the hill, which may have been the secondary camp of the followers who were attacked in the supposition that they were the main body. The whole

Their scouts told Percy's party where the Scots were, and at the same time gave assurance that they were no detachment from a large force near at hand, but were in all but a small body not exceeding three thousand. On hearing this, Hotspur justified his impatient character by the vehemence with which he called to horse, and urged on his comrades and retainers to help him in the recovery of his pennon. The Bishop of Durham was coming up with a reinforcement, but Hotspur would not wait; he had already eight hundred mounted men and eight thousand foot-men—more than enough for his purpose. They sped on to Otterburn as fast as the foot-men could go, and instantly attacked the Scots position on a moonlit night, being the 19th August 1388.

It was not the purpose of the chivalrous assailants to make a furtive attack—the Percy war-cry loudly proclaimed it to the whole camp. It appears that many of the Scots knights, tired with their work at the siege of the tower, had relieved themselves of their armour, and it took some time to reincase them in the complicated mail covering with which their friends of France had endowed them. The impatient Percys had, however, begun their attack on the quarters of the camp-followers, and these, assisted by a few spearmen from the ranks, held out while the harnessing went on. When the main body were ready for action, instead of pushing forward into the fray they adopted a tactic which Froissart says they had arranged beforehand on a careful inspection of the ground, "which,"

process of works is much smaller than the average of hill-forts. These, too, are generally not on the slope, but the crown of the hill—in fact, there are the remains of a considerable hill-fort on the top of the hill behind the Scots camp. Some curious topographical particulars about the spot will be found in White's History of the Battle of Otterburn.

he says, "was the saving of them; for it is of the greatest advantage to men-at-arms when attacked in the night to have previously arranged their mode of defence." They crept out in the rear, and, sweeping round the camp, fell upon their assailants in flank. These were fighting the Scots in their camp, yet were assailed by a Scots force coming from without, a surprise likely to make them question the tale that there was no reserve at hand; but there was no panic, and as Froissart says, "Knights and squires were of good courage in both parties to fight valiantly; cowards there had no place, but hardiness reigned with goodly feats of arms, for knights and squires were so joined together at hand-strokes that archers had no place at neither party. There the Scots showed great hardiness, and fought merrily with great desire of honour. The English were three to one. Howbeit I say not but Englishmen did nobly acquit themselves, for, ever the Englishmen had rather been slain or taken in the place than fly. At the beginning the English were so strong that they recoiled back their enemies. Then the Earl of Douglas, who was of great heart and high of enterprise, seeing his men recoil back, then to recover the place and show knightly valour, he took his axe in both his hands, and entered so into the press that he made himself way in such wise that none durst approach near him, and he was so well armed that he bore well of such strokes as he received." At length he was borne down mortally wounded, and trodden over in the fight. "The Englishmen knew well they had borne one down to the earth, but they wist not who it was, for if they had known that it had been the Earl of Douglas they would have been

thereof so joyful and so proud that the victory had been theirs. Nor also the Scots knew not of that adventure till the end of the battle, for if they had known it they should have been so sore despaired and discouraged that they would have fled away." Some of his immediate followers found him, rejoicing like the old Norsemen that his death, like that of many ancestors, was to be on a stricken field. With his latest strength he bade them display his banner and raise his battle-cry; and this was done with such heart that the Scots charged and broke their enemy, who seem in the thick of the hand-to-hand fight to have lost sight of their leaders. The younger of these, Ralph, fell like Douglas sorely wounded, but, rendering himself, was carefully tended. His elder brother, Hotspur, too, had to yield himself prisoner, with many others of high degree, and consequently representing a great value in ransom money. Froissart says he was told that in this affair "there were taken or left dead on the field on the side of the English one thousand and forty men of all descriptions; in the pursuit eight hundred and forty, and more than one thousand wounded. Of the Scots there were only about one hundred slain and two hundred made prisoners;" but he notes, that it may have its due influence, how he got this calculation from "those who were of the victorious party."[1]

[1] Froissart's narrative is the authority for this account of the battle of Otterburn. It shows so accurate a knowledge of persons and places, and gives the sequence of events so distinctly, that by internal evidence it would commend itself to belief as rendered from the information of eye-witnesses by one who had carefully questioned them and had a peculiar capacity for getting at the truth of such affairs. Then the author tells us: "I was made acquainted with all the particulars of this battle by knights and squires who had been actors in it on each side. There were also with the English two valiant knights of the county of Foix, whom

That there was a memorable slaughter in this affair —a slaughter far beyond the usual proportion to the numbers engaged—cannot be doubted: nor was there ever bloodshed more useless for the practical ends of war. It all came of the capture of the Percy's pennon. The Scots might have got clear off with all their booty; the English forgot all the precautions of war when they made a midnight rush on a fortified camp without knowledge of the ground or the arrangements of their enemy. It was for these specialties that Froissart admired it so. He saw in it a fight for fighting's sake—a great passage at arms in which no bow was drawn, but each man fought hand to hand; in fact, about the greatest and bloodiest tournament he had to record. Hence his narrative is ever interrupted with bursts of admiration as his fancy contemplates the delightful

I had the good fortune to meet at Orthès the year after this battle had been fought: their names were Sir John de Châteauneuf and John de Canteron. On my return from Foix I met likewise at Avignon a knight and two squires of Scotland of the party of Earl Douglas. They knew me again from the recollections I brought to their mind of their own country; for in my youth I, the author of this history, travelled all through Scotland, and was full fifteen days resident with William, Earl of Douglas, father of Earl James, of whom we are now speaking, at his Castle of Dalkeith, five miles distant from Edinburgh. Earl James was then very young, but a promising youth, and he had a sister called Blanche. I had my information, therefore, from both parties, who agree that it was the hardest and most obstinate battle that was ever fought This I readily believed, for the English and Scots are excellent men-at-arms, and whenever they meet in battle they do not spare each other."—Ch. cxxvi. This passage is from Johnes's translation, which the Author has generally found it convenient to use. The passages in the text, however, are, with the spelling modernised, from the translation by Lord Berners. If he was in general less accurate than Johnes, his instincts as a military commander seem to have helped him to more precision in rendering descriptions of actual fighting, and there may be something in his having lived so much nearer to the time. The editor of the 1844 edition of Johnes's translation gives in a note, to help his text, the account of the battle of Otterburn from Berners's translation.

scene raised before it. He is eloquent, too, on the knightly generosity and chivalrous courtesy shown on both sides, and especially on that which had the best opportunity of being generous—the victorious. To convince all who read his narrative that he is right in the eulogies he bestows, he gives some narratives of personal adventure among the combatants. These are very amusing as episodes and anecdotes, but would be spoilt by removal from their own proper place in Froissart's narrative.[1] The chivalrous nature of the battle had its charm for the popular minstrels of the day as well as for the courtly historian. It was commemorated in those old songs of Percy and Douglas, of which Sir Philip Sidney said that when he heard the singing of them by some poor "blind crowder" he

[1] The war had hitherto been far too serious a matter to encourage indulgence in superfluous displays of chivalry. Bruce's affair with De Bohun no doubt had a dash of the chivalrous in it, but it was an application of the fantastic usages to a serious object, which it accomplished. Occasionally there came out smaller manifestations of this spirit. Between the battle of Bannockburn and the Treaty of Northampton, Norham Castle was often attacked by the Scots in their fugitive raids, and was considered a post of great danger. For that reason it came under the special notice of a knight named Sir William Marmion, who had been endowed by the lady of his devotions with a helmet crested with bright gold, which it was his duty as a true knight to display in the most dangerous ground he could find. On consideration, he decided for Norham. The governor, Sir Thomas Gray, humoured him, and offered him his proper opportunity. He said he knew what his visitor had come for; it was to win renown for his lady-love's gift, the golden helmet—*vous y estez venuz chevaler errauntpur faire cel healme estre conuz.* Gray good-naturedly put him in front of a sortie, promising to support him and rescue him dead or alive—might he be forsaken of God if he did not. The knight of the golden helmet charged the Scots accordingly. He was unhorsed and evilly entreated, but Gray kept his promise and charged to the rescue. The golden-headed knight was able to join in the charge which drove the besiegers off, and accomplished one of the minor successes of the long contest. The story is told by Gray himself in his Scalacronica, 146.

was "moved more than with a trumpet." Besides the ballads which commemorate the battle of Otterburn by name, the still more popular and renowned ballads of the Chevy Chase bring out the same narrative of events, with only a little more of the minstrel's licence.[1]

The battle of Otterburn has this much significance in history, that it marks the fading from the defenders

[1] In one of the versions of Chevy Chase, attributed to Richard Sheale, a bard of the sixteenth century, the identity with Otterburn is noticed:

"This was the hontynge of the Cheviat,
That dear begane this spurn,
Old men that knowen the grounde well enoughe
Call it the battell of Otterburn."

See "Hunting of the Cheviat, or the ancient ballad of Chevy Chase," in Percy's Relics.

In this, and in its more modern shape, as it will be found in the Elegant Extracts and other collections, the ballad sinks the original cause of the quarrel—a raid for plunder. It gets the more chivalrous origin of a defiant hunting in the enemy's forest. The nationalities are inverted too, and it is the Percy who invades Scotland.

"The stout Earl of Northumberland
A vow to God did make,
His pleasure in the Scottish woods
Three summer days to take,
The chiefest harts in Chevy Chase
To kill and bear away.
These tidings to Earl Douglas came
In Scotland where he lay."

In the changes to which traditional poetry is subjected, Chevy Chase connects itself with the Cheviot Hills; but the term is evidently a variation or corruption of *chevauchée*, which in the Norman-French of England meant the sort of plundering expedition now better known by its Scots name of "raid." Thus in a minute of the English Council the usual invasions by the Scots borderers are called "Invasions, arsures, chevauchées, et attemptatz."—Fœdera. In France it applied to equestrian movements of a more dignified character—as to judicial journeys or circuits. One of the French meanings, however, is cognate to the English: "Le droit de chevauchée est un ancien droit seigneurial qui est la même chose que celui que nous appellons Arrière-ban; droit de faire marcher ses sujets ou vassaux à la guèrre;" and, "Devoir chevauchée; c'est être obligé de monter à cheval pour défendre son seigneur féodal dans ses querelles particulières."—Dict. de Trevoux.

of Scotland of the dread of immediate absolute conquest by England. It is like the inhabitants of a besieged city taking to their natural courses when the immediate danger is over. The Scots could now afford to play at war with that enemy which had given them so much of its serious business.

The dangers of the small invading army were not at an end when Percy's force was driven back. These, in their retreat to Newcastle, met the Bishop of Durham advancing at the head of ten thousand men. When they thought the matter over afterwards, it became disagreeably clear that, had the bishop's party joined the fugitives in a new attack, the Scots would to a certainty have been beaten. But there was still the uncertainty about the possible presence of a large Scots force, and a general discouraging confusion. While the bishop was discussing the matter with some of the leaders, his following got gradually mixed up with the fugitives, and he resolved to join the retreating body.

Next day he marched against the Scots, but these had been busy in the mean time strengthening their position into a thoroughly fortified camp. The enemy, on coming within two bowshots of them, were received after a manner so strange that it must be told in the words of the great chronicler himself: "The Scots have a custom, when assembled in arms, for those who are on foot to be well dressed, each having a large horn slung round his neck in the manner of hunters, and when they blow all together, the horns being of different sizes, the noise is so great it may be heard four miles off, to the great dismay of their enemies and their own delight. The Scots commanders ordered this sort of music now to be played. The Bishop of Durham, with

his banner, under which were at least ten thousand men, had scarcely approached within a league of the Scots when they began to play such a concert that it seemed all the devils in hell had come thither to join in the noise, so that those of the English who had never heard such were much frightened."[1]

Froissart mentions another specialty of the warlike resources shown in this incursion of the Scots—the use by the unmounted men of a long-shafted battle-axe wielded by both hands. It was similar in shape to the English bill, but much larger, and it was afterwards well dreaded as a formidable weapon in the hands of those trained to it; it became known in later times as the Lochaber axe—a long shaft, with a blade longer than an axe's and shorter than a sword's, with a hook behind, which might be used in climbing walls, or perhaps in catching a fugitive.

The bishop's army, which seems to have been in great part a raw levy, had an opportunity of making a leisurely and close examination of the position of the Scots, for these had no force of bowmen, and they could not afford to leave their position. The English admired the skill they had shown in fortifying themselves, and justified this admiration by retiring from the place as impregnable. Its occupants then speedily went home unmolested, through a country glad to see them pass northwards without stopping to do business on the way. The brilliant career of the small detachment sent eastward cast into shade the march of the main army along the west, and we only hear that it returned, whether empty-handed or with a satisfactory amount of plunder is not recorded. Next year

[1] Ch. cxxx.

there was another Scots raid across the border, headed by the Earl of Fife, newly appointed governor of the country. Of it also no memorable achievements are told, nor are there any tokens of rejoicing over plunder, for that kind of harvest seems to have been for the time exhausted.[1]

In the same year, 1389, a truce was established between England and France. It was accepted by Scotland, and was carried down by renewals to the year 1399.[2] It came to cheer the last days of the old king, who left the character of a peaceful ruler over a quarrelsome people. Robert II. died in 1390.

He was succeeded by his eldest son. John was the name given to him in baptism, yet so odious had the words "King John" become, as the title of him who bore the odium of selling the national independence, that it was deemed a prudent policy to give the new king the popular name of Robert, although that was held by his younger brother. Accordingly he was crowned

[1] The reiteration of these plundering expeditions can hardly convey a pleasant impression to readers removed from the influence of national partialities: of all methods of warfare they are no doubt among the most cruel and wasteful. They are utterly opposed to that more generous and enlightened principle of modern war which avoids mere mischief and injury to the private citizen, but endeavours to paralyse the enemy by dealing great blows against the centre of his political or military power. Yet these raids or forays are ever the way in which a weak state will deal with a strong one in a death-struggle—that is, when the war is not one to punish some insult or injury, but a determined effort for conquest and national annihilation. To the great power complaining of such acts this will ever be the answer of the small one: If you wish to keep your people from harm at our hands, let us alone—give over your effort to enslave us. The same course was pursued after the middle of the nineteenth century by the Southern States of America. Their incursions got the old Scots name of raids, and have met with signal approval. Scots raids of the fourteenth century were in a cause surely as sound.

[2] Fœdera, vii. 623 *et seq.*; Rot. Scot., ii. 98.

as Robert III. The nine years' suspension of war with England gave him for a time a peaceful reign. The general quiet was only disturbed by family quarrels, and by some escapades of the Celtic races of the north and west, which will have to be afterwards referred to in taking up the thread of events concerning these districts. In the year 1396, however, there came to pass a tragic occurrence, in which some of the Highlanders were the actors—an occurrence which connects itself neither with their history nor with that of Lowland Scotland, but stands apart by itself.

On the 23d of October 1396, on the beautiful diluvial meadow by the Tay called the North Inch of Perth, lists were staked off as for a great tournament, and benches and stands were erected for spectators. A vast crowd gathered there of all ranks, from the king himself downwards. The spectacle which drew them together was a battle between two bodies of the wild Highlanders, thirty on each side. They were to fight in their native fashion, with axes, swords, or bows, having no defensive armour. The chronicles mention an odd incident in the arrangements. A combatant on one side losing heart swam the Tay and made off. The question then came how the equality of numbers was to be made up. A common artificer of Perth—a little man, but strong and able at his weapon—agreed to fill the empty place for a small fee, and a life provision should he survive after having done his work well, and the bargain was accepted. Though but briefly noted as a piece of eccentric courage in a person of humble condition, this incident has come up so often and in so many shapes in literature and tradition, that the story of the Gow-chrom, or Crooked Smith as he is sometimes

called, is as familiar as many leading events in history. Such a contest would make a lively variation on the monotony of the tournament, with its stately etiquettes and regulated restraints. It was the nature of the beings brought together to fly at each other like wild-cats and kill in any way they could. The affair was as bloody as heart could desire. Of one side but ten remained, all wounded; of the other, but one.

The object of this exhibition has produced much speculation. It has been said that there was a standing rivalry and contest between two clans, or groups of clans, which kept the Highlands in ceaseless discord and confusion; that all efforts to bring them to terms had failed; and that some wise counsellors, looking perhaps to the precedent of the Horatii and Curiatii as told by Livy, had suggested the plan of putting their quarrel to the ordeal of an equal combat, at the end of which the clansmen of the beaten warriors were peacefully to accept of their old enemies as their masters and come under the banner of their chiefs. One part of such a project was certain to be fulfilled. Set face to face, the enemies would fight each other to the utmost; but if it was believed that the second part had any chance of holding, the statesmen of the day must have been ignorant to an incredible degree of the Highland character as it comes out in later history. For a whole race to submit to the ordeal of battle would imply the very highest devotion to those rules of chivalry which were an extravagant fashion in all the countries under the Norman influence, but were utterly unknown to the Highlanders, who submitted when they must submit, and retaliated when they could. That such an adjustment could be

effected among them is about as incredible as a story about a parliamentary debate in Persia or a jury trial in Timbuctoo. On the other hand, if the mere death of so many Highlanders was the object, it was to be accomplished on but a small scale, unless the combatants were all chiefs or leaders of some sort. So little eminence, however, appears to have been among them, that even the men who are said to have been the heads of the quarrel on either side are not identified by Celtic antiquaries with anything like certainty as belonging to eminent or even known Highland families.[1] They cannot be fitted into any of the genealogies, accurate or fabulous, to be found in the peerages and family histories, nor has any one been able to show the districts over which they ruled.

[1] The Scotichronicon calls the pestiferous caterans of the mountains, "Scheabeg et suos consanguinarios qui Clankay, et Cristi Jonson ac suos qui Clanquhele, dicebantur." In the Registrum Moraviense (382), the quarrel is said to be between two "Parentalæ, Clanhay (not Kay), and Clanqwhwle." In the Extracta e variis Cronicis Cocie (203), it stands: "Unus Sceauchbeg caput Clancay vocatus, alius Cristi Johneson caput Clanqwele dictus." In Wyntoun we have :—

> "Thay thre score ware clannys twa,
> Clahynnhè Qwhewyl, and Clachinyha.
> Of thir twa kynnys ware thay men
> Thretty again thretty then,
> And thare thai had than chiftanys twa—
> Scha Ferqwharis sone wes ane of thay,
> The tother Cristy Johnesone."
>
> —(B. ix. ch. 17.)

All that the editor of Wyntoun, David Macpherson, who professed to have a good deal of Highland lore, has to say to this is: "These names, though doubtless somewhat corrupted by Wyntoun himself, may furnish a clue whereby those who are versant in Highland genealogies may yet settle the dispute which has lately been agitated for the property of these ferocious chiefs and their sanguinary followers, and trace them to their true families" (ii. 518). Wyntoun, who from his Priory in Loch Leven might have taken a walk to see the show, says nothing about deep political motives, but simply describes the battle, and calls it a "selcouth thing,"—an amazing thing.

The slaughter of some fifty or sixty of the Celtic caterans was no doubt so far desirable, though later Scots governments found ways of accomplishing such a service on a very different scale. One cannot help thinking, however, that the chief motive for getting up the fight was the idea of a spectacle, original and exciting in its character—something partaking of the old gladiatorial contests of the Romans, and of the tournaments of chivalry. The allusions by the chroniclers to the vast multitude, including distinguished foreigners from England and France, who assembled on the North Inch as spectators, encourages the supposition that the affair was a great spectacle; and looking at it in this light, it was certainly an eminent success.

At the establishment of the truce of 1389, the contest with England had gone on for very nearly a hundred years, with no longer interruption than the uneasy truce of seven years in 1347. It was natural to find that a people trained through several generations in warfare would not take readily to the ways of peace, and at once convert the spear into the pruning-hook. The bulk of the able-bodied men throughout the country were banded together under the territorial lords as their military commanders, and the organisation thus framed did not at once come to pieces. Since they were not called against an enemy abroad, they took to mischief at home. It is always so when a sudden peace disbands an army, unless it is to be absorbed into a strong and thoroughly organised civil government. When a war between despotic powers ceases, the evil takes the shape of a dispersal of disorganised marauders; in Scotland, distributed as power was at that time, it took more generally the

shape of separate bands organised under territorial chiefs, all quarrelling with each other and doing mischief to their unprotected neighbours. It required a strong hand to check such destructive influences, and that was not to be found in the Court of King Robert. He was a man of peace like his father, infirm in body and in will, easily entreated by the designing, and preferring his personal ease and peace to his duty. Then his eldest son, the Duke of Rothesay, known only for his profligacy, was as ready to sacrifice everything to active pleasure and sensual enjoyment as his father to indolence. The next in command, the king's brother, known as the Duke of Albany, was a man of ability and courage, but none of his resources went to the benefit of the public—all were retained to further his deep-laid plots for his own aggrandisement.

Under such political conditions, the burghal and industrious peasant population suffered fearfully. The wretchedness of the land cries out to us in the present day in the vehement lamentations of the chronicles, that law and justice and mercy were unknown throughout the land, and that the strong took and tyrannised, and the weak had to endure. It all stood in melancholy contrast with the strong rule of Robert Bruce and Randolph, and with the traditions of the peaceful and plentiful days of good King Alexander, before the ambition of the Plantagenet kings had brought on the calamities of Scotland. Indeed, Scotland during the long truce seems one of the best examples to be found of the social condition admired by a recent poet as "the good old rule," "the simple plan,"

> "That they should take who have the power,
> And they should keep who can."

At length the cry of the nation reached and was echoed by the Estates in Parliament. These met in 1398, and left an example of the blessed influence of such assemblages, even in a rude and imperfect shape, provided they contain representatives of varied interests. In this assembly were those who had been the most flagrant and powerful transgressors, yet the Parliament collectively emphatically denounced the evils of the day, and sought to find a remedy for them. Nor did they spare any one who could have checked the mischief. The Estates had not discovered that formula which deprives a monarch of personal power under the pretence of exemption from responsibility—the maxim that the king can do no wrong. They began by a declaration that the misgovernment of the realm, and the failure to enforce the law, must be imputed to the king and his officers. If he can charge the default against his officers, however, he has an opportunity of doing so. Let him accuse them before the Council of Parliament, who will hear what they have to say, and then judge.[1]

The Parliament then—on the preamble that it is well seen and kenned that their lord the king, for sickness of his person, may not travail to govern the realm, nor

[1] It has already been mentioned that those who, in the reign of the later Stewarts, edited the old laws and state papers of Scotland tampered with them to render them conformable to the court notions of the day. Of this Sir John Skene's rendering of the Resolution of 1398 is a signal example. The three communities of "the kynryk gadderit in general council," "Quwhare it is deliveryt that the mysgovernance of the reaulm, and the defaut of the kepyng of the common law, sulde be imput to the kyng and his officers. And tharfore gife it lyks our lorde the kynge til excuse his defautes he may at his lyking gerre calle his officeres to the quhilks he hes giffyn commissione, and accuse thame in presence of his consaile. And thair answere herde, the consaile sal be redy to judge their defautes."—Act. Parl., i. (Rob. III.) 210. This, as printed in the reign of James VI., stands: "Quhere it is delivered, that the misgovernance of

restrain trespassers and rebellers—judge it fit that his eldest son and heir, the Duke of Rothesay, should act as his lieutenant, with his full sovereign powers, limiting the lieutenant's commission to three years, and appointing a council named in the Act for his guidance. He is to swear, as the king his father swore at his coronation, to preserve undamaged the privileges of the Church, to cause the laws and lovable customs of the realm to be kept to the people: he is to restrain and punish masterful misdoers, and especially to restrain cursed men and heretics, and those that are thrust furth of the Church. There follows a significant provision, that the due execution of his office shall not be hindered by countermandments from the king, "as somewhile has been seen;" and if any such countermandments be issued, they are to be ineffectual.

It is further provided that all his acts as sovereign shall be minuted, with the day and place, and the names of those counsellors who are present at the transaction, in order that they may be responsible to punishment by the Parliament if they have transgressed. There are provisions for strengthening the executive in bringing offenders to justice,—a suggestive item of which is the dealing with those who put the officers of the crown at defiance, and cannot be brought to justice. These, after due warning that they

the realme, and the default of the keiping of the common law, sould be imput to the king's officiairs; therefore, gif it likes our lord the king, he may at his liking gar call his officiaires to quhom he hes given commission, and accuse them in the presence of his counsell. And their answer being hard, the counsall sall be readie to judge their defauts." The mutilation destroys the logical as well as the constitutional tenor of the document. The reason for permitting the king to accuse his officers—namely, that he might exonerate himself—being withdrawn, leaves nonsense. The provisions that follow are not printed in Skene's edition.

are wanted, and proper certificates that they have got sufficient notice to appear, are to be proclaimed rebels to the crown, or outlawed, and so be liable to the forfeiture of their estates.

This Parliament was conspicuous by a new title of dignity appearing on its rolls—that of Duke. It was limited at the beginning to the blood-royal. The new regent appeared as Duke of Rothesay, his uncle as Duke of Albany.

The Scottish borderers watched the termination of the truce in 1399, that they might get loose on England like hounds let off the leash. It was asserted on the part of England, indeed, that they did not wait for the conclusion.[1] Ten years of peaceful husbandry had prepared a harvest for them, and they swept it off in the old way—the English borderers retaliating by an invasion of the Lowlands. The political aspect again became menacing for Scotland. The conditions which rendered peace almost a necessity for England had ceased with a revolution. It was no longer Richard II., but Henry IV., who reigned; and he began his reign by a great invasion of Scotland.

It is announced by a curious change in the tenor of the diplomatic phraseology applied to Scotland. On the 14th of August 1400, it is no longer "our adversary of Scotland" that is addressed, but the King of England sends to the King of Scotland greeting. The purport of the appeal explains the change of nomen-

[1] It is amusing enough in the solemn pages of the Fœdera to find literally the *nom de guerre*, or pugnacious nickname, of one of the border chiefs printed in large letters. It is in construction to keep him in safe custody: "Quod capitaneis et aliis qui Ricardum Rotherford militem et filios ejus ac Johannem Turnbull OUT WYTH SWERD et alios capitaneos."—Fœdera, viii. 162.

clature. The absolute conquest and annexation of Scotland had been the tenor of all English transactions since Baliol's resignation of the crown in 1296, excepting for a short period beginning with the Peace of Northampton. Now the King of England was to be content with the power of lord superior, and acknowledged Robert III. to be King of Scotland as his vassal. Desirous to bring to a conclusion the wars and misfortunes which the rebellions of previous kings of Scotland had caused, he intimates his intention of marching to Edinburgh, and there, on the 22d of August, receiving the liege homage of King Robert. Lest any surprise should be felt at such an injunction, he reminds King Robert how this question of vassalage had been settled in the instance of Locrinus, the son of Brutus, and how this fundamental precedent had been followed by many others. Upwards of a century had now elapsed since the time when Edward I. provided, in his court of lord paramount over Scotland, a treasury of instruction in feudal practice for the benefit of archæologists and jurists. Some changes were likely to come, either for better or for worse, in so many years ; and it is likely that the feudalist might find the practice of the year 1400 to have degenerated from that of 1291. At all events, it was different. Beside King Henry's requisition to his vassal the king, is a document which certainly King Edward's feudalists would not have prepared for him. A duplicate of the requisition to the King of Scots is addressed to the dukes, earls, and other *proceres* of Scotland. They are directed to persuade their king to do his duty to his lord superior, and if they are unsuccessful in this effort, to come and offer the lord superior their own homage. There is a third

stage in this eccentric feudal process. Three knights and three esquires of England are appointed to intimate the requisition, like officers of the law executing a citation. They were to endeavour to serve the writ personally on the said King of Scots and all his *proceres*, if they could conveniently do so. Should they fail in personally serving the King of Scots and the feudatories of his crown with the writs, they were instructed to proclaim their substance, in a loud and audible voice, in Kelso, Dryburgh, Jedburgh, Melrose, Edinburgh, and wherever else they thought fit. This no doubt was after the form of some writ used in the English law courts.

Henry was serious, however, and began his reign with a grand invasion of Scotland. He marched with a large force as far as Leith. There he renewed the demand of homage in a querulous appeal, in which he complained, not only that his just demands remained unnoticed, but that the Duke of Rothesay had sent him a defiance to a passage at arms, with one, two, or three hundred on each side.[1] Rothesay was then acting as Governor of Edinburgh Castle, which held out stoutly and effectually against the English. Albany commanded a large army at Calder Moor, a few miles

[1] It is said in some histories that the Prince offered to stake the issue of the quarrel—the independence of Scotland—on the result of such a passage at arms. Madcap as he was, however, there is scarcely authority for this, though he and King Henry seem to have bandied assurance about a desire to avoid the shedding of Christian blood: "Idem etiam David, in dictis suis literis, asserit quod, sicut et nos ita et ipse, desiderat Christiani sanguinis effusionem evitare, et tamen in eisdem literis, cum trescentis aut ducentis seu centem nobilibus, se offert nobiscum pugnaturum, quasi nobilem sanguinem Christanum non censeret." This taunt would not have told, had the offer been to decide the quarrel so, instead of by war.—Fœdera, viii. 158.

distant. As he did not offer battle, it has been suspected that he had no objection to see Edinburgh Castle fall, and his nephew killed or taken. Had it not been for what afterwards occurred, however, a sufficient motive might have been found for his inactivity; for the English force was dwindling away under internal causes of dissolution. It would seem that Henry wished to make himself popular by the conquest of Scotland, but, as a new king, was afraid to ask for a supply, and trusted to the feudal obligations for his army: these gave him a great force, but were insufficient to hold it together. He retired with the most bloodless and inoffensive army that ever entered Scotland, having apparently satisfied himself that conquest there was a vain dream. Immediately after his retreat, we find the sovereign of Scotland losing his rank of king in the English state papers, and again reduced to the position of "our adversary of Scotland."

Yet King Henry's hands were at that time strengthened by a great desertion from Scotland. The Earl of March, who vied with the Douglas in holding the largest domains and the greatest feudal influence in Scotland, solemnly transferred his allegiance to the King of England. His was one of the oldest houses in Scotland, yet its allegiance was not of long standing. His father sheltered Edward II. in Dunbar Castle when he fled from Bannockburn, and for a time served Edward III. and Baliol; and his grandfather, whom we have met with as one of the competitors for the crown, was a faithful follower of Edward I. The Duke of Rothesay was, in 1399, betrothed to Lady Elizabeth Dunbar, the Earl's daughter; yet next year he was

married to Marjory, the daughter of Douglas, March's great rival and feudal enemy. This, it is said, drove him to his change of allegiance. Yet so early as 1393 there exists a royal letter authorising messengers or ambassadors to treat both with him and with Douglas for a transfer of their allegiance to England.[1] March engaged for the allegiance both of himself and his vassals, or subjects as they are called; but there is no trace of his having carried any of them into England. He would naturally expect that, if there was to be a serious contest between the two countries, he could hold his own territory on the borders in allegiance to England; but the complete abandonment of any serious attempts on Scotland threw him on the bounty of the English king. He had given facilities for the invasion of Scotland, as he held the Castle of Dunbar; but after Henry's retreat, it was taken by his rival, Douglas, for Scotland. Although he profited nothing by the change, however, it fell to him to do his old country some mischief. In 1402 he headed an English force, which defeated at Nisbet Moor a few hundred Scots engaged in a raid into England.

This was followed by a more serious affair in September of the same year. A considerable army was raised, and sent into England under Douglas to imitate the great exploit of his father. He succeeded so far as to reach Durham, and was returning to Scotland in great confidence, with a rich harvest of plunder. When the rievers had got as far as Wooler they heard that Hotspur and the apostate March were coming to meet them with a large force. They took up their position on a piece of strong ground called Homildon Hill. It

[1] Fœdera, vii. 754.

is said that Hotspur was for an instantaneous charge, as at Otterburn, but that he was stopped by March, who better knew both the strength and the weakness of a Scots force. Formed as they were in a compact mass on the hill, the bowmen were set to play on them, and did so with deadly effect. The tactic of Douglas should have been, after Bruce's at Bannockburn, to charge the archers with cavalry. Though this arm existed in abundance, however, it was not used till too late. The Scots leader, indeed, seems to have lost head, for he allowed his troops to be butchered around him. So splendid was the English archery that Douglas himself, though he wore a coat of mail of notable excellence, had five arrow-wounds, though none of them was mortal. A young knight, Sir John Swinton, gained fame by exhorting his countrymen to charge the enemy, and at all events die fighting—and he gave example by a dash on them with a few followers; but these were insufficient for the purpose, and were all speedily killed. It was a complete victory for England, remarkable for the number of eminent Scots taken or killed. It was entirely the reverse of Otterburn, both in the result and the method of attaining it; for, as Froissart says, there had been no bow drawn there—at Homildon all the work was done with the bow, and there was no hand-to-hand fighting.

It is among things not easily accounted for, that a people so keenly and practically alive to everything warlike as the Scots were, should not ere this time have taken from the repeated punishments they suffered a lesson as to the strength of that great arm of English armies—the bowmen. The strength of a Scots army lay in the spearmen and the axemen. These were

terrible in hand-to-hand conflict, but their enemies had a weapon which cut them off from their opportunity. It is difficult now to realise the power of the English bow and cloth-yard shaft. Much faith was given to the cross-bow, because it was bent up to its check by placing the foot on the bow and dragging the string with the hands, so that the strength of both arms and legs was given to the drawing of it; but it proved a paltry weapon beside the bows drawn by strong yeomen—bows so large that the fitting length was that which allowed the feathering of the arrow to touch the ear. Gunpowder had now been for some years in use. Barbour is supposed to speak of a gun of some kind when he says the English used "crackys of weir," or cracks of war, in the affair with the Scots rievers in Weirdale, before the death of Robert the Bruce. But hitherto in the home wars the long shaft shot from the upright bow was still the prevailing missile.

At the time of this unfortunate battle the mind of the people was excited by a scandalous tragedy. The Duke of Rothesay, the heir of the crown, had been committed to a dungeon, which he never left alive, and the rumour began and gathered force that his dark uncle had murdered him there. It appears that the young man's escapades had become more transcendent and troublesome since his marriage. He and Prince Henry of England were, curiously enough, following the same course. Whether or not one took of the other, each was, as Falstaff says, "a mad wag with quips and quiddities," some of which were of a serious nature, since they touched the administration of justice. There was a good case for restraint, and plans were laid for effecting this, if not something further.

For some ground or other of offence, the poor prince's brother-in-law, Douglas, joined Albany in the plot against him, and they were assisted by a Sir John Ramorny, said to have been a minister of the prince's pleasures, whom also he had made an enemy. On the death of the Bishop of St Andrews, the prince was going to seize and occupy his castle—whether in pursuance of one of his mad pranks, or with some serious purpose legal or illegal. He had got as near his object as Strathtyrum, a mile or so from the castle, when he was seized, and carried to the castle or palace of Falkland. Thence his body was some time afterwards removed for burial in the Monastery of Lindores, and it was given out that he had died from an attack in the stomach. Public rumour, however, loudly proclaimed that he had been murdered; and when it was insisted that no one had laid hands on him or done him any violence, it was said, that might be true, yet had he been murdered by the cruellest of all methods —starvation. There was a parliamentary inquiry into the affair. This was not in the shape of a trial for a crime, but of an inquiry for the sake of clearing up doubts and rumours. The conclusion is set forth in an equivocal form tending to strengthen suspicion. It is declared that the young prince died by the visitation of Providence, and not otherwise.[1] For his capture and detention, and for his death in the manner so described —that is, by the visitation of Providence—Albany, Douglas, and their assistants are indemnified, and all persons are forbidden to circulate false and calumnious rumours against them.[2] By Rothesay's death Albany

[1] "Ab hac luce divina Providentia et non aliter migrasse dinoscitur."

[2] Act. Parl., i. (Rob. III.) p. 220. It must be remembered that the

regained his old office of governor. To clear to him the way to the throne, however, would have required more crimes or calamities; for the king had yet a son —afterwards James I.—and three daughters.

In the course of the border quarrels, which hardly ever ceased in the intervals between the truces, the Percys brought a large force northwards, and occupied it for a noticeable period in the siege of a private laird's peel or tower called Cocklaws—a siege which proved unsuccessful, though the force employed in it seemed preposterously above the object to be gained. It was suspected, and not without reason, that the Percys had some other motive than the taking of a border laird's castle or strong house, and that they professed to be carrying war into Scotland that they might have an opportunity of plotting with Governor Albany to help them in the insurrection they were going to raise against King Henry. They had been among the chief abettors of his advance to the throne; yet, whether it was that they did not think themselves sufficiently rewarded for their eminent services, or that they had some deep project in design, it is certain that, within three years of their settling him on the throne, they came very near to casting him down from it. They were in secret alliance with Owen Glendower, who headed so effectual an effort of the Welsh to regain their old nationality, that for a time he so

accusation rests only on an assertion in the Scotichronicon and the chronicles founded on it. Wyntoun says nothing of it, though he pathetically laments the young prince's death (ix. 23).

It may be worth noting that starvation was one of the ways in which the Lancastrian party were accused of having disposed of Richard II. just at the same time. A kind of epidemic spirit sometimes influences accusations of crime.

completely defied England as to be actually King of Wales. Percy released Douglas and other Scots captives taken at Homildon, and this was done in defiance of a royal order which, for some particular reason, required that none of the prisoners taken in that battle should be ransomed.

Douglas collected a force and marched into England. We enter here upon historic ground, the scenery of which has been made familiar to all the world, as rendered by Shakespeare; but it is on the English side that he has taken possession of it. We are not bound to inquire, in dealing with Scotland, how far his picture is accurate, though we cannot but feel the charm of that energetic spirit of chivalry with which he has filled the character of Douglas. He and Percy, as is well known, were vanquished in the hard-fought battle of Worcester. Albany had then collected perhaps the largest army ever raised in Scotland, and marched to the border professedly to raise the siege of Cocklaws. But its assailants were otherwise employed—he found the tower in its natural loneliness. This was accounted for by immediate news of the battle of Worcester. Albany, if he intended to take part in it, was too late, and he had nothing for it but to disperse his army.

He was at that time trying how he could bring to work against King Henry an influence of another kind. It was reported on authority that Richard II., the deposed King of England, had died a natural death soon after his deposition. It was believed by many opponents of the Lancaster dynasty that he had been murdered. From Scotland a rumour went forth that he had been seen in the far-off dominions of Donald of the Isles. According to one form of the story, he was

recognised by a noble Irish lady—a member of that house of Bysset which was driven from Scotland, on account of the death of the Earl of Athole, some hundred and sixty years before. By another account he was recognised by a court jester. The accounts agree on one point, that he repudiated the illustrious origin imputed to him. Albany, however, took him in hand, and treated him as the exiled monarch of England. Whether or not he was what others thus insisted on counting him, he seems to have been a poor half-witted creature, incapable of doing anything for himself or personally helping the policy for which he was used. He died in 1419, and was buried in the church of the Dominican Friars in Stirling.[1]

Entries have been found in the chamberlain's accounts connected with the cost of supporting King Richard of England. They run up a score of arrears, and show that Albany, as governor, entered a claim against the exchequer, inasmuch as he was out of pocket for the support of this illustrious exile. The businesslike character of these entries is supposed to prove that Richard II. of England lived several years in Scotland, and died there.[2] They prove, however, only what needed no proof, that Albany, the governor, had in his possession a man whom he treated as Richard II. of England. If it was a falsity and imposition, he was not likely to tell this to the scribes who made up the chamberlain's accounts.

It has been observed as significant that the English

[1] The inscription, beginning "Angliæ Ricardus jacet hic Rex ipse sepultus," will be found in the Extracta ex Cronicis Scocie, p. 221.

[2] Historical Remarks on the Death of Richard II., by P. F. Tytler. See Tracts, Legal and Historical, by John Riddell, who professes to identify the man who was made to act the part of the dead king.

Government did not, in this as in other instances of the starting of a pretender, make any demands either that the man should be given up or the pretensions proffered in his name withdrawn. There was entire silence on the part of England. But before drawing any absolute conclusion from this, we would require to know more of the intricacies of the affair, and especially of the guilty secrets that might come to light by stirring it. What if the substantial evidence that Richard could not be alive in Scotland were that he had been murdered in Pontefract? Then the imposition, if such it was, had no active shape. Henry might well wait until his adversary brought this king on the board, to make his own move. We must be content to accept of the affair as one of the unsolved mysteries of history. The populace of London were, we know, invited to behold the body of King Richard, publicly shown to them in St Paul's Cathedral. Thus the statecraft of the times leaves us the alternative, either that Henry of Lancaster produced a spurious dead Richard in St Paul's, or that Albany kept a spurious live Richard in Scotland.

Whatever Henry may have apprehended from Albany's game, fortune gave him wherewith to play against it. King Robert's remaining son, James, a youth fourteen years old, was to be sent to the Court of Scotland's ally, France, to be protected and educated. With a suitable attendance, he sailed from the Forth in March 1405. Off Flamborough Head their vessel was met and captured by an English armed ship. This occurred while one of the truces with Scotland was yet unexpired, but it was useless to argue with the English king against his keeping possession of his prize.

The opportunity of kidnapping a royal personage was a temptation which scarce any monarch of that age had virtue to resist. There was a strong opinion, too, that the act would not be heavily avenged by the prevailing powers in Scotland; indeed, it was suspected that Albany had given hints, if not more than hints, how the capture might be effected. Little more than a year afterwards—on 13th April 1406—King Robert died, after a harmless but profitless reign; it was believed that the misfortunes of his family hastened his end.

CHAPTER XXVII.

Narrative to the Death of James I.

ACCESSION OF JAMES I., A CHILD, AND CAPTIVE IN ENGLAND—REGENCY OF ROBERT OF ALBANY—BURNING OF RESEBY, AN ENGLISHMAN CHARGED WITH HERESY—THE CELTIC POPULATION OF THE HIGHLANDS AND THEIR RULERS — FINAL STRUGGLE FOR SUPREMACY BETWEEN HIGHLANDS AND LOWLANDS—THE BATTLE OF HARLAW — ITS HISTORICAL INFLUENCE — THE INVASION OF ENGLAND, CALLED THE FOOL RAID—DEATH OF REGENT ROBERT, AND SUCCESSION OF HIS SON MURDOCH—THE YOUNG KING OF SCOTS AT THE ENGLISH COURT — HOW TRAINED AND TENDED THERE—HIS MARRIAGE—THE FRENCH ALLIANCE—SCOTS AUXILIARY FORCE SENT TO FRANCE — THEIR LOSSES, SERVICES, AND REWARDS—RETURN OF THE KING TO SCOTLAND — PREROGATIVE NOTIONS BROUGHT WITH HIM FROM ENGLAND — HIS DEALING WITH THE REGENT AND THE HOUSE OF ALBANY—CONTEST WITH THE HIGHLANDS—FRENCH CONNECTION AND ALLIANCES—ENGLAND'S COMMAND OF THE NARROW SEAS USED AGAINST ROYAL VISITORS BETWEEN FRANCE AND SCOTLAND — SERIOUS ASPECT OF HOME POLITICS—ORGANISATION AGAINST KING JAMES—HIS UNCONSCIOUSNESS OF IT—THE COURT AT PERTH—MURDER OF KING JAMES THERE.

THE king's death made no practical change. The young prince was acknowledged as James I., but his uncle Albany continued to govern the kingdom.[1]

[1] Wyntoun tells us that a Parliament held at Perth in June acknowledged the succession of King James, and continued Albany's regency (B. ix. ch. 26); but we have no record of the proceedings of that Parliament.

There is little of moment to record until the year 1408, when there was an event leaving a painful impression. There came into the country, it is said, for refuge from persecution, an Englishman named John Reseby, a follower of Wycliffe. He was tried by an ecclesiastical council, and, being convicted of forty heresies, was given over in the usual manner to the civil power, by which he was put to death by burning at the stake. No more is known of this matter than we are told by Walter Bower, the continuator of Fordun. But as Bower was a dignified clergyman—the Abbot of Inchcolm—the method in which he deals with the event is itself of interest. Of course the punishment of the heretic receives his high approval. Though he utters a long and vehement censure on the poor man's errors, he fails to make us acquainted with the substance of any of the forty items of heresy excepting one—the denial that the Pope is the vicar of Christ. The abbot's angry tirade is otherwise taken up with the Scriptural passages against presumption, and the substitution of human for divine institutions, having in this a considerable resemblance to the numerous attacks made in later times on "the apostasy of Rome." Some practical points of interest are visible through his declamation. He tells, with an evident sensation of horror, that the opinions and the books of Wycliffe are entertained by several "Lollards" in Scotland, but in extreme secrecy, by the instigation of the devil working on those to whom stolen waters are the sweetest. He observes of those in whom the doctrine of this wicked school takes root, that they seldom or never are restored to the bosom of the faith; and he, the author, had but rarely known—if indeed he ever had

known — any such in Christian manner go to sleep in the Lord.

The truces with England continued off and on, the Scots borderers, without much respect for them, gradually pressing out the English occupancy, which still lingered in the counties nearest to England. Jedburgh Castle was taken and destroyed, having been found more serviceable to the English invaders than to Scotland. The town of Roxburgh was destroyed, but the castle remained in English hands. Fast Castle was one of the recoveries. This remote fortress, perched on a rock jutting from St Abb's Head into the German Ocean, after the country round it was recovered by the Scots, had remained in the possession of its English captain, who, thus isolated, set up on his own account, levying contributions or taking prey both by land and sea.

The year 1411 was renowned in Scotland by a great battle, arising out of dangers and difficulties of a new and special kind. It was a final struggle for supremacy between the Highlands and the Lowlands, called the battle of Harlaw. The conditions out of which it arose demand some explanation. We have seen how Scotland, as the name of a kingdom, came originally from the Irish Scots, who colonised the western coast; and how by degrees, as the kingdom became consolidated, the descendants of these western Scots were ever shy and troublesome as subjects of the King of Scotland, and were sometimes entirely independent of his rule. They were at one time swept into that great Norse confederation of maritime states which included, along with the Shetlands and Orkneys, Man, and the east of Ireland, all occasionally under the sway of

Norway. When this marine empire was broken up, the Western Highlands of Scotland, and the islands opposite to their shore, were left a territory where the Celts predominated so far that their language became that of the district, while yet there was a strong element of Norse blood among the people. After the reign, as it might be termed, of Somerled, in the middle of the twelfth century, the command of the district was partitioned; and although the chiefs who ruled it had generally one among them predominant over the others, there was no distinct state with its central government. Sometimes it is the Lord of the Isles, sometimes the Lord of Lorn, or of Man, or of Kintyre, that appears to lead. So we find, in Bruce's difficulties, that John of Lorn was among his bitterest enemies, while he got some aid from a rival chief. During the War of Independence England naturally looked to the predominating power in these regions as an ally; and Edward Baliol, when he was acting as King of Scotland, made alliances in the same quarter. Ere Scotland shook off the power of England, during David II.'s reign, these western regions, mainland and islands, seem to have become consolidated under the leadership of the Lord of the Isles. One of the last acts of King David's reign was an invasion—or rather a threat of invasion—to put an end to his claims of independent sovereignty, and subject his territories to taxation. He and a train of followers met King David at Inverness, and promised submission to the sovereignty, and to taxation, as an integral part of Scotland—promised, in fact, whatever was demanded. The engagements were put into proper feudal form; but the parchments went for nothing among the Celtic

people of those regions, to whose nature the feudal system, with its gradations, its strictly limited rights, and its fixed hold on the soil, was hateful and scarcely comprehensible. Their one great craving was for immediate leaders to guide and command them. Such they found in the descendants of those Norse warriors who had been their masters of old. They lived under their chief, and did his bidding, knowing nothing of the Lowland king's chapel of chancery and the charters thence issuing, which professed to regulate the use and property of the surface of the earth, according to the claims of all, from the monarch to the cottar.

The parchment submission to King David made no difference in the power of the Lord of the Isles; he was as thoroughly obeyed within his own region after as before it. He bethought him of exercising the prerogatives of a sovereign in the Norman form, and executed charters to subordinate heads of clans—Macintoshes, Mackenzies, Macleans, and others—who were to hold lands of him as their lord paramount, as the King of Scotland had held domains in England. The alliances with England were repeated; and in the great truce between France and England in 1389, in which the allies of the high contracting powers were included, Scotland was a party as the ally of France, and the Lord of the Isles was a party as the ally of England. So near the time at present dealt with as the years 1405 and 1408, we have commissions from Henry IV. to treat with the Lord of the Isles, who thus retained his diplomatic position.[1] Thus we

[1] Fœdera, viii. 418, 527. The Record edition, it may be mentioned, stops at the year 1377: hence the references since that date are from the two older editions, which have both the same paging.

have a government claiming dominion over a district which only admits of that dominion fugitively, evasively, and while under pressure, and allies itself with the enemies of the government which professes to rule over it. When events occur which are but the natural results of such political conditions, we are sure to hear of "disturbances in the north," or another "rebellion of the Lord of the Isles," or the necessity for "strong measures" towards that impracticable chief. On the other hand, arguments might be found for holding that the Lord of the Isles was as well entitled to maintain the sovereignty of his western state against the King of the Lowland Scots, as the Government of Scotland to resist the encroachments of the King of England; and that the sole difference between the two struggles is in the success that fell to the one and was denied to the other. And, indeed, the answer to such reasoning can be but in this modified form:—The dominion of the Lord of the Isles was never, like Scotland, a compact state with a Constitution. It uttered no distinct claim of independent sovereignty to Europe, either through the universal medium of the Papal Court, or in any other shape; and in fact it only showed its independence by rising against the King of Scots when his hands were tied or occupied elsewhere.

If ever the Teutonic and Celtic population had been much mixed up, they had now become separate by a clear line of demarcation. They were equally separated by incompatibilities and antipathies. The days were long past when the Celt was a leader in civilisation. The Goth had now got far ahead of him. The ways of the two also differed in this wise, that it became the practice of the one to till the soil and

enrich himself, while it became the practice of the other to live idly and seize upon the riches of his Lowland neighbour when he could get at them. In 1384 an Act was passed for the suppression of masterful plunderers, who get in the statute their Highland name of *cateran*.[1] By this statute all men might seize caterans and bring them to the sheriff, and should they refuse to come to the sheriff, might kill them without having to answer for the act. This is the first of a long succession of penal and denunciatory laws against the Highlanders; each, as it was found to drive them desperate rather than to improve them, being immediately followed by another, in which the legislator's ingenuity was tasked to find some project still more cruel than any yet adopted.

No doubt, there was ample provocation to retaliate on these mountaineers. They had already given some hints that they could be put to more dire purpose than the clearing of a stackyard or driving a herd of cattle. King Robert's brother, Alexander, was invested with the lordships of Badenoch and Buchan, parts of the inheritance of the Comyns. Besides Badenoch, with its strong Castle of Lochindorb, he got other Highland estates, and held the earldom of Ross in right of his wife. To add to his power, he was made king's lieutenant over the greater part of Scotland north of the Forth. He could thus command a vast Highland following for any purposes he chose to put it to; and his selection was such as to earn for him the title of the Wolf of Badenoch. Among other acts of tyranny and

[1] "Qui transierint ut Katherani, comedendo patriam et consumendo bona comitatum et capiendo per vim et violenciam bona et victualia."—Scots Acts (Rob. II.), i. 186-7.

depredation, he seized on some lands belonging to the Bishop of Moray. For this he was excommunicated by the bishop. In retaliation, he brought a body of Highlanders to Elgin, the see of Moray, where they burned the cathedral, and committed other devastations. The Church was too powerful to endure this, and the perpetrator had to make satisfaction before he could get relief from his excommunication, and the troublesome civil disabilities following on it. This lord had an illegitimate son named Alexander, who afterwards made a considerable figure, both in Scotland and France, as Earl of Mar. Whether or not he obtained any of the Highland property, he succeeded to his father's propensities and his influence over the Highlanders. With a large following, he descended from the Braes of Angus—the eastern slopes of the Grampians—on a grand plundering expedition against the agriculturists of the lowland districts of Angus and Mearns. The landed gentry of this district hastily gathered for its defence, and met the invaders on the banks of the small river Isla. They fought, of course. The affair was a small one, but sharpened by the hatred to each other of two races whose antipathy was all the bitterer that they were near neighbours, and nominally under the same government. It is the earliest recorded example of the method of Highland warfare, such as it continued down to the latest of our civil wars. The method was a simple rush or bound upon the enemy, and a reliance on the impetuosity of the blow breaking his defences. If it failed to do so, the assailants instantly turned. If strong enough, they might make another rush; if not, they would disperse their several ways, and the war was at an end

for the time. In this instance the rush was successful; the Lowlanders, mounted men and foot, were swept before the torrent. A chronicler gives an instance of the ferocity of the mountaineers The Lord Lyndsay, the leader of the Lowland force, on horseback, had pinned to the earth with his spear one of them, who, twisting himself up, with his sword cut the assailant through all his defences to the bone, and fell back dead.[1] Such was the battle of Gasklune, fought in the year 1392.

Twelve years afterwards, their leader employed his Highland followers to more effective purpose still, so far as his own interests were concerned. In the Castle of Kildrummy, on the Don, lived the Countess of Mar, in her own right—a widow of a year's standing. Stewart and his Highlanders stormed the castle, strong as it was, and made the lady captive. She married her captor, and certain feudal ceremonies were publicly performed, for the purpose of making it known that the marriage, and the endowment of her husband with her estates, were acts of her own free will. The Wolf of Badenoch's illegitimate son now became Earl of Mar—a great feudal lord, with a high position in the state. His ambition now rose above the leadership of marauding mountaineers; and, as we shall see, like persons of inferior note who have risen by unworthy services, he became a zealous represser of those who had helped him. Early in the fifteenth century the earldom of Ross fell to an heiress, who retired from the world, and took the veil. This earldom had grown out of that Maarmorate north of the Moray Firth which we have often met with in

[1] Wyntoun, ix. 14.

early centuries as a nearly independent dominion in the hands of Norsemen. Although an earldom, it still held but loosely of the crown. Donald, the Lord of the Isles, was married to an aunt of the heiress. He claimed the earldom, which would exactly fit into his other domains, and make him lord or monarch of about the half of Scotland. But the very reasons that rendered the acquisition so desirable to himself, rendered it the policy of the government to refuse it. On the ground that he was treated with gross injustice, Donald resolved on war.

In the summer of 1411 the agriculturists and burghers of the North were appalled by a rumour that a body of marauding Highlanders of unparalleled force —on the scale, indeed, of a considerable army—was coming upon them to pillage and burn, and conquer Scotland to the Tay. The force was reputed to amount to ten thousand. That might not seem overwhelming to a country which had dealt with the great English invasions, but it was the districts exempt from these that was threatened, and the invasion was, in fact, an attack in the rear. It took the country by surprise, and there was a hasty gathering of the gentry, with their tenants, and the burgher force of the towns. They could muster a small body only, but it was a high-spirited, efficient force, well armed. It was commanded by the Earl of Mar, whom we have lately found in different company. He had gained experience in the French wars, and several of his followers possessed the same advantage.

Donald and his host came through the northern mountains to Benochie, near the Don in Aberdeenshire. This hill is a sort of bastion of the Grampians abutting

into the Lowlands. From its top one can see, towards the west, mountain after mountain rolling away upwards to the highest of the Grampians; on the other side spreads to the coast a plain as flat as Lincolnshire. Donald kept on the shoulder of this outstretching hill till he descended on the flat country, as if reluctant to leave the rough mountain ground to which his followers were accustomed. At Harlaw, on the flat moor edging up to the rise of the hill, he met those who had come to guard the entrance to the low country. The usual rush of the Highlanders was met by a compact body of men-at-arms and spearmen, who held their own firmly. The numbers of the Highlanders, however, enabled them, wasteful as they were of life, to dash, wave after wave as it were, against the compact little body; and the chances were, that by giving several lives for each one, the Highlanders might annihilate their opponents. These held out, however, and Donald had to retreat; there was no great victory gained over him, but he was stopped in his career, and that was everything.

So, on the 24th of July in the year 1411, ended one of Scotland's most memorable battles. On the face of ordinary history it looks like an affair of civil war. But this expression is properly used towards those who have common interests and sympathies, who should naturally be friends and may be friends again, but for a time are, from incidental causes of dispute and quarrel, made enemies. The contest between the Lowlanders and Donald's host was none of this; it was a contest between foes, of whom their contemporaries would have said that their ever being in harmony with each other, or having a feeling of common interests

and common nationality, was not within the range of rational expectations.

It was a practice in Scotland to favour the heirs of those slain in the great national battles against England, by exempting them from the feudal taxes on the succession to their estates, including the rights enjoyed by the superior during the minority of his vassal. The records of northern land rights show that this was extended to the families bereaved at Harlaw, and that the battle was even in this formal way treated as a national deliverance.[1]

The battle of Harlaw has been abundantly celebrated in northern minstrelsy and tradition. It will be difficult to make those not familiar with the tone of feeling in Lowland Scotland at that time believe that the defeat of Donald of the Isles was felt as a more memorable deliverance even than that of Bannockburn. What it was to be subject to England the country knew and disliked; to be subdued by their savage enemies of the mountains opened to them sources of terror of unknown character and extent. Hence, of the many men of rank and local mark who fell on that field, the people of the northern Lowlands long retained affectionate recollection; and they particularly selected for this tribute Sir Alexander Davidson, the Provost of Aberdeen, the first affluent burgh which the invaders would have sacked, and the good knight, Sir Alexander Irvine, whose domains almost touched the field of

[1] Thus, in an inquisition concerning the succession of a certain Andrew of Tulidelf to his father William, it is found, "Et licet minoris etatis existet tamen secundum quoddam statutum consilii generalis, ex privilegio concesso heredibus occisorum in bello de Harelaw pro defensione patriæ, est hac vice legitimæ ætatis."—Registrum Episcopatus Aberdonensis, i. 215.

battle, and whose square tower would have been among the first to endure a siege.

The next remarkable event is of a very different character—the foundation of the University of St Andrews. Of the influence of this and other features of intellectual progress it is proposed to take notice elsewhere. In the earliest years of the reign of Henry V. there was much appearance of dispeace between England and Scotland, but any issues of a critical kind were obviated by England's Continental wars. In 1416 there was profession of a great expedition from Scotland against England. Roxburgh and Berwick were ineffectually attacked; and the army returned, after accomplishing so little either for profit or glory that the expedition got the popular name of the Fool, or Foolish, Raid.[1] On the other hand, a force under the wardens of the English marches swept and plundered the southern counties of Scotland, so that the usual results of a border contest between the two countries were reversed.

Robert Stewart, Duke of Albany and Regent of Scotland, died on the 3d of September 1419, eighty years old. He has a bad repute in history, which yet is able to set down nothing against him but suspicion. The heir of the throne was taken prisoner as if exactly to suit his projects, yet he could well say to any accuser, "Thou canst not say I did it." The negotiations for the recovery of the exile, after he had become King of Scots, all failed; while Albany succeeded in getting back his own son Murdoch, who had

[1] "Cum dedecore ad propria redierunt," &c.; "et ideo vulgariter le *Foul-rad* vocabatur."—Scotichron., xv. 24. Fool (here spelt foul) was an adjective in old Scots, also in old English.

been taken at Homildon. He was specially exchanged for the young Earl of Northumberland. This was Hotspur's son, who had taken refuge in Scotland when the family were in extremity. He was treated as a captive in a sort of retaliation for the detention of King James. When it was found desirable that he should return to England and take his place as guardian of the North, people thought it would have been more in Albany's duty to have exchanged him for his nephew the king than for his own son; but it cannot be shown that he had any choice in this. Henry V. might not be so ready to part with the one as with the other. Of the great crime laid against him, the murder of Rothesay, we have not even the assurance that it was asserted at the time by persons who professed to know the particulars. It stands on the mere general assertion of one set of the chroniclers, supported by the dubious terms of an act of indemnity. For the seizure and restraint of the prince, which is not doubted, and is indeed proclaimed in the Act, there might be abundance of justification. Here was a madcap youth sporting with the most dangerous and deadly of edge-tools, bringing royalty into scandal, making enmity and dissatisfaction by violent outrages and defiance of authorities, putting grave men in public authority to sore perplexity between their reverence for royalty and the duties of their office. It was a great public service that one strong-handed enough for the purpose should deal with the affair; and the act was all the more spirited and commendable that it bore down all difficulties from the affection of a doating father who would have let the mischief take its course. On the whole, had Albany held a greater place in

history he would have afforded excellent material for one of those inquirers whose delight it is to reverse popular verdicts, by proving that some name condemned to infamy belongs to one too great and good for the appreciation of the ordinary run of mankind.

His office of Governor passed to his son. From analogy we must suppose that this was done by an Act of the Estates; but if so no trace of it remains, and Murdoch appears to succeed to Robert, as if by hereditary descent, in the Governorship of Scotland, as well as in the Dukedom of Albany. That his father had arranged all this, and was quietly moulding a dynasty, has been argued from incidents of small account in themselves, such as his designing himself on public documents as Governor of Scotland by the grace of God. It is difficult to say what chances Murdoch might have had of superseding the elder house, had it not been that the struggle lay with a cleverer man than himself. Exile though he was, King James made his hand be felt in the politics of Scotland. He was permitted to receive many visits from his influential subjects, and he made use of his opportunities. It is easy to suppose that there would be much reluctance at the Court of England to part with such a captive. No one could foretell the opportunities that might arise for turning the possession to use. But, however such considerations may have postponed his restoration, there are no traces of any ultimate projects to be founded on his detention.

From the first, in referring to him the old offensive phraseology about "our adversary of Scotland" was dropped; and after his father's death, he is ever respectfully addressed as "our beloved kinsman

the illustrious King of Scots." In the treatment of his captive guest Henry V. showed a nature in which jealousies and crooked policy had no place. Had he desired to train an able statesman to support his own throne, he could not have better accomplished his end. The King of Scots had everything that England could give to store his naturally active intellect with learning and accomplishments; and he had opportunities of seeing the practice of English politics, and of observing and discoursing with the great statesmen of the day, both in England and in France, where Henry had also a Court. He would be sent back all the abler governor of his own people, and more formidable foe to her enemies, for his sojourn at the Court of England.

It was desired on both sides that before his return he should ally himself by marriage to the English royal family. It so happened that his heart was already given to Jane Beaufort, the daughter of the Earl of Somerset, the brother of Henry IV. She was thus a cousin-german of the king; there was no nearer choice; and so romance found the very match which policy would have dictated. It was a destiny uncommon among kings—to fall in love with a fair unknown damsel casually seen; to wed her as the one whose descent marked her to the politicians as the proper queen to bring with him to his kingdom; and finally to tell the story of his love in sweet verse worthy of a true poet. And yet James I. showed himself rather a practical man than a romantic dreamer. The wedding was celebrated with great splendour. He then moved northwards with a stately train, enlarged from his own country as he passed the border, and was crowned at Scone on the 21st of May

in the year 1424. The only thing giving a mercenary touch to the arrangements was a demand of forty thousand pounds to pay for the expense of his maintenance; but the French wars made money a strong object with the English Court, and the fourth part—ten thousand pounds—was remitted as a marriage-portion for the young queen.

We may take a glance at the external relations of Scotland before we follow the king home. A truce of seven years with England was part of the arrangement for his marriage and return. Henry V. had achieved his great career, and made the title of King of England and France no empty boast. The sense of French nationality was almost extinguished, and in some respects the English rule had been popular among a sadly-oppressed people. The natural insolence of the conqueror, however, showed itself, and a spirit of resistance and nationality began to find life among the people. It received great assistance from Scotland. The party which adhered to the Dauphin and the house of Valois kept up diplomatic relations with the old ally, and in 1419 arrangements had been made for conveying a Scots auxiliary force to France. They were to be removed in French galleys, and these the English Government gave directions to watch for and intercept in the narrow seas. In 1421, however, they were successful in carrying over seven thousand men—a marvellous achievement. These, under the command of the Earl of Buchan, gained the battle of Beaugé. It was the first success which turned the tide of victory; so that King Henry, like his great ancestor Edward I., was to die just as his conquest was beginning to slip from his grasp. There are few more ter-

rible and unscrupulous beings than a baffled conqueror. Towards the Scots allies of his enemies Henry's actings were in sad contrast with his dealing towards their king. That king he had with him in France; and, on the ground that their master was in his camp or in his possession, he gave orders that all the Scots auxiliaries who might be taken should be hanged as rebels. In the battle of Verneuil they were nearly exterminated. But France, when restored to herself, was conscious of her debt of gratitude to those who had first stood in the gap. Many eminent houses arose out of the rewards granted to Scots adventurers. The celebrated Scots Guard was established—it is said to have begun in the few who survived the slaughter at Verneuil; and a right of common citizenship was established between the two countries—a reciprocity, the value of which was greatly on the side of the poorer country.

The return of James I. makes a decided epoch in our history. The period of "the Jameses" naturally separates itself, like that of a dynasty, from the history before as well as that which follows it. But the king's return made a real and practical internal revolution. It becomes clear that a hand is at work, trained in the country of Doomsday Book and feudal precision, of common law and statute law. It is here indeed that the practical statute law of Scotland may be said to begin. The collections of "The Scots Acts" made for the profession go no further back—the statutes of earlier periods having been collected more for purposes of history than of practice. Compared with the early English statutes, they were a slovenly mixture of public laws, with local or private transactions, judicial

decisions, and diplomatic notifications. In England the rule has been that, however old or forgotten, a statute is still a statute, which the courts of law must enforce until it is repealed. Whoever, therefore, could find anything to profit himself and damage his neighbour in some neglected corner of the statute-book, might use it as the discoverer of a will in his own favour may apply it to the alteration of a succession. By the less precise practice of Scotland, the statutory was affected by the consuetudinary law. It was active only if kept alive by usage, and might drop out of existence by desuetude. Hence, in going back to the most distant of the statutes in use, the collectors stopped at the commencement of King James's reign: there, however, they found a large harvest. He kept his Parliament busy, and statutes were passed in almost every year of his reign. Among the earliest of these were arrangements for promulgating the Acts themselves among the judicial and executive officers who had chiefly to deal with them, in order that they might not plead ignorance of the law; and this was accompanied by a piece of law reform passing beyond the reach of any light he could have obtained from England—the laws were to be promulgated in the vulgar tongue. A commission was appointed to revise the old laws, such as the Regiam Majestatem and Quonium Attachiamenta, to amend what required amendment, and make clear what was to be counted law, so as to keep litigation free of "frivolous and fraudful exceptions." This was something like an attempt to follow the strict English rule, and by Act of Parliament separate the laws still in existence from those in desuetude —to re-enact the one set and repeal the other.

There was a general survey and valuation of property for purposes of taxation. Owners of lands were required to show the charters or other written titles by which they held them, and there was a particular inquiry regarding what had become of all the property vested in the crown at the time of King Robert I. These measures were pressed, as it were, by repeated enactments, which no doubt conveyed the most depressing and irritating emotions to many potent territorial lords. There were enactments to restrain begging and vagrancy, and compel the able-bodied to work, imitated from the legislation which heralded the English poor-law. Weights and measures were regulated, and a standard of the coinage was established, so that it should be "in like weight and fineness to the money in England"—a precedent which it required courage for a King of Scots to cite. In England the common lawyers were then marked off as a peculiar people, following a sort of monastic life in their Inns of Court. Without endeavouring to imitate these, the legislature of the new reign adopted qualifications and restrictions by which those entitled to practise in the law were separated and identified. Among these regulations is one which has ever been an honourable peculiarity of Scotland, and is expressed in a sympathetic tone not in keeping with the formalities of the English draftsmen. It provides that "if there be any poor creature that, for default of cunning and dispenses, cannot or may not follow his cause, the king, for the love of God, shall ordain that the judge before whom the cause should be determined purvey and get a lele and a wise advocate to follow such poor creature's cause."

After this and much other legislative business was

transacted, there was an attempt to assimilate the Parliament itself to that of England. The lesser barons were relieved from attendance, provided they sent "commissioners" or elected members—two for each shire, except Clackmannan and Kinross, which were to have one each. In the same Act there comes up once for all the English "Speaker" and the term "Commons," in a provision that the commissioners are to choose "a wise and an expert man called the common Speaker of the Parliament, the whilk shall propose all and sundry needs and causes pertaining to the Commons in the Parliament."

The king did not neglect any experience that might help him in improving the military organisation of the people. The arms and armour of those liable to attend the feudal musters were rearranged, and wapenshawings appointed. He noted the enormous value of the English bowmen in war, and organised a system of parochial archery schools over the country.

While all this was going on the king had business more personal to himself on hand. He had taken possession of his throne quietly and meekly, as one who was glad to obtain his own at last, and to ask no questions why or by whom it had been so long kept from him. But he was biding his time, and making inquiries for his guidance. It was eight months after his restoration—and if there had been any alarm at first, it seems to have lulled and died away—when suddenly, at one blow, the king's cousin Albany, with two of his sons and twenty-six of the leading nobles, were arrested. This was at Perth, where there was a Parliament, at which they were in attendance. Albany and his sons were put on trial, but unfortunately no

record of the proceedings has survived to tell us the particulars, or even the general nature of the charge against them. They were found guilty, and executed on the heading hill of Stirling. The youngest son of Albany took flight to the Highlands, where the caterans were ready to rally round any one at war with the laws; but he was hunted, taken, and put to death. The twenty-six subordinate captives were set at freedom. We can only guess that the motive for apprehending them was to deprive the house of Albany of support, or to show the aristocracy that their king was alike powerful and merciful. He had another set of enemies to deal with requiring less ceremony. Having seen how England dealt with Wales—he was, in fact, for a time a fellow-prisoner with Owen Glendower—he resolved to extinguish the farce of the independent sovereignty boasted by Donald of the Isles. In 1427 he held by way of a Parliament at Inverness, to which he summoned Donald and some fifty chiefs—some of them very powerful, such as Angus Duff, who, as the chroniclers say, was general of four thousand men; and Kenneth More Angus of Moray, and Mackmakon, who each commanded two thousand. They were so infatuated as to attend, and were seized, manacled, and committed to separate dungeons. It is useless to denounce such acts; there was no more notion of keeping faith with the "Irishry," whether of Ireland or Scotland, than with the beast of prey lured to its trap. Those it was deemed fitting to get rid of were put to death. Whether there was the ceremonial of a trial nothing remains to tell. Donald at all events had some blood in his veins that entitled him to consideration; his grandmother was a daughter of Robert

II. On this account, as it is said, he was spared, on making all proper submissions. But Donald did not like the whole transaction. In historic phrase, he abused the clemency of his sovereign, and again raised the standard of rebellion. He collected an army, and destroyed Inverness, the place of his humiliation. Turning by Lochaber to march on the Lowlands, he found that he had to do with an enemy too active to wait there for him. The king carried up to the mountains an army so well found that Donald's followers would not meet it, and dispersed in Highland fashion. Hard pressed, Donald found that there was nothing for it but to submit. He did this in a manner that gave some surprise, and was perhaps founded on some Highland custom. When the Court were at worship in the Chapel of Holyrood, he appeared before the sanctuary of the high altar, nearly destitute of clothing, and, kneeling, presented the king with a naked sword. He was committed to Tantallon Castle.

But his cause, or that of his dominion, was not utterly lost. When a head or leader is removed from any Highland population, they find another to hold his place. So Donald Baloch, a relation of the captive prince, levied an army and marched to Lochaber in 1431. There, where the former Highland army had been dispersed, he defeated a force led by the Earl of Mar—the victor at Harlaw. This was a humiliation which a prince like James could ill bear. An extraordinary tax was granted "for the resistance of the king's rebellers of the north," a nomenclature reminding one of the ever-recurring denunciations of "his Majesty's Irish rebels" in the English state papers. The tax was to be such that "in all lands of the realm

where the yield of twa pennies was raiset, there be now ten pennies raiset."[1] It appears that on the supply thus collected, the king made a great expedition or progress into the Highlands. The accounts of it are indistinct, but they bear that the chiefs crowded round him to offer homage, or whatever other form of submission he desired; and this would be the natural result if his force were powerful.

Those who deal in the annals of such a period become familiar with violent deaths, slaughters in the field, acts of bloody vengeance, and cruel punishments. Yet the continual occurrence of violent deaths will not abate the revulsion felt on the occasions—rare though these may be—when they pass out of the field of violence, and fall on peaceful men, teaching what they think the truth. Again, in the year 1432, we come to the burning of a heretic as an event utterly isolated from the usual current of history. The victim was a Paul Crawar, a German, believed to have come from Bohemia to propagate the doctrines that had been preached by John Huss and Jerome of Prague. All that we are told of him personally is that he professed to be a physician, and to be travelling and visiting in the practice of his profession. The churchman who records his burning takes occasion to enlarge on the characteristics of Taborites, and other Bohemian heretics; but people will seek their information about these from better sources.[2]

After the conclusion of the truce in 1431, the English Government, making a last struggle for the maintenance of their power in France, were very anxious

[1] Act. Parl., ii. 20.
[2] Scotichronicon, xvi. 20.

for peace with Scotland. We have no authentic record of their offers. The chronicles speak of their proposing terms which even included the abandonment of Berwick and Roxburgh. It is difficult to believe in the offer of such terms, and still more difficult to believe in their rejection, although this is attributed to the chivalrous motive of keeping terms with France. Events took a course drawing Scotland closer to France and apart from England.

Within the first year of his reign a daughter was born to King James; and it was agreed that, at a fitting time, she should be betrothed to the young Dauphin of France. In 1434 she was thirteen years old; and it was resolved that the right time had come for sending her to the land where her lot was to be cast. Accordingly she was conveyed across the Channel by as gallant a maritime escort as Scotland could afford. In the passage between Scotland and France every vessel had to deal in some way or other with the difficulty of England's power in the narrow sea, unless the voyage were made, as it sometimes was, westward by the Atlantic. Then, and for long afterwards, a maritime superiority had ever a piratical tendency. There was something so tempting in seizing an opportunity for its use that no treaties or international laws were a sufficient restraint. Though it was a time of truce between England and Scotland, yet an English expedition was fitted out and vigilantly watched the Scots fleet, for the purpose of kidnapping the princess. The attempt met with something like the retribution of a romance. The English fleet, while watching for its prey, found casual occupation in picking up some Netherlands vessels laden with wine.

Just as they had made this desirable acquisition, however, a Spanish fleet came up and took it from them. The English fleet had to seek safety; and keeping in such circumstances but an imperfect watch, the Scots carried their princess safely into La Rochelle, and she was married to the Dauphin, afterwards Louis XI. This, and some other incidents, made bad blood between England and Scotland; but no serious contest followed. King James began a siege of Roxburgh, as if he were determined to drive the English out of what they continued to hold on the north side of the border; but he suddenly stopped the siege, having, as it would appear, serious calls on his attention elsewhere.

There were signs of mischief abroad that could not but create anxiety, but neither the king nor his close advisers seem to have known, or even suspected, that there was an organised conspiracy for putting him to death. In seeking out the effective motive for such a crime, had only one cause of enmity to the king been known, that alone would have been unanimously set down as the cause of the tragedy; but the inquirer is confused by finding several causes, while to no one of them in particular has the origin of the tragedy been separately and distinctly traced. The king was popular with the country at large. The legal and parliamentary practices brought with him from England were favourable to the protection of the property, industry, and civil liberty of the humbler classes. In so far as they were so, they tended to check feudal powers which had grown in the times of war, and of the confused and feeble government of later years—it was the strong equable government which a waxing feudal power hates. His strict inquiry into the titles

to feudal domains was very unwelcome, and he had done things practically to frighten many of the great lords about the preservation of their territories.

We have seen how the Earl of March lost all his wealth and feudal power by a mistake in shifting his allegiance to England. This was in the year 1400. Nine years afterwards, he negotiated with Albany for a restoration, and was reinvested in such of his estates as could be got out of the gripe of the Douglases. These his son inherited, but his title came under question. It was said that the regent, Albany, had no power to reverse a forfeiture for treason. All the March estates were again declared to be annexed to the crown. This was done after a full hearing of all that could be said for the holder of the domains, and with full parliamentary formality, as the decision of the three Estates.[1] It was held, however, to be an example of the special policy which influenced the king's government.

The family of March retired to England, and were not personally implicated in the coming tragedy; so that any influence which the loss of their estates had on that event must have arisen from the alarm felt by others who might suffer from like proceedings. Another case of forfeiture seems to have increased the alarm. The earldom of Strathearn was vested in the son of Robert II.'s second marriage. He left a daughter only, who was married to Sir Patrick Graham, and carried the earldom to their son, Malise Graham. It was maintained that this was a male fief which could not be carried by the female line. The earldom was forfeited and transferred to the male heir, Robert Stewart, Earl of Athole.

[1] Act. Parl., ii. 23.

It is to him, though thus benefited, that we must look, however, as the person whose position drew to him the darkest suspicions. He was a brother of the Robert who had been made Earl of Strathearn, and a son of Robert II. by his second marriage with Euphemia Ross. It was said that the children of that king's first wife, Elizabeth Mure, were born in concubinage, and it has been maintained that, although the civil law might legitimate them on the subsequent marriage of the parents, neither this nor a Papal dispensation could remove the barrier of affinity standing in the way of such subsequent legitimation. The Earl of Athole was a very old man, and it is said to have been his grandson who chiefly stirred this question.

The question, however, is again perplexed by this, that Malise Graham was descended from the eldest son of the second marriage, and would be heir if the children of the first marriage were disqualified. Strathearn was taken from him because it had come through the female line, but there was ample precedent for the throne so descending.

However all this may have been, the real chief worker of the coming tragedy was neither of these persons, who might prefer claims to the crown, but Sir Robert Graham, who had no such claim. He was yet connected with one of them, but with that one which had no concern in the affair—he was the uncle of the Earl of Strathearn, as brother of him who had married the granddaughter of Robert II. It is said that Graham forcibly expressed himself in Parliament about the encroachment of the king on the territorial aristocracy, and denounced him as a tyrant. Whether for this or other things, he became a ruined and

banished man, and sought refuge among the Highlanders.

Whoever were the heads, here were the hands for any act of violence. They would receive with eminent satisfaction a fugitive from the law. On them the sovereign had no claims: in their own estimate, they received nothing of him but stripes, and owed him nothing but vengeance. If Sir Robert Graham felt the difficulty of bringing his wild followers to the spot where his purpose was to be effected, the king himself made this easy by taking up his Court in Perth, at their very gate. It was the practice of the Court to quarter from time to time on the affluent religious houses; and the king resolved to distinguish the Monastery of the Black Friars in Perth, by holding his Christmas festivities there in the winter of 1436, and remaining for a period as their guest.

He had ample warning of danger, for Graham had denounced him as a tyrant worthy of death—an enemy of the human race, who should be killed out of hand by the first man who met him. Portents and dreams and prophesies were rife among the attendants of the Court. A weird Highland woman, who might have had better foundation for her knowledge than the second-sight, was said to have prophesied the coming tragedy, and in vain to have pressed her warnings on the victim. James was of a courageous nature, and it was an age when the apprehensive led very wretched lives. He would have his sport of all the portents, and some of his merry jests concerning them down to the last were held in remembrance.

It was on the evening of the 20th of February. The royal party had broken up, and the king, disrobed, and

wrapped in what would now be called a dressing-gown, lingered before the fire of the reception-room, chatting with the queen and her ladies, when ominous sounds were heard. Three hundred of the wild Highlanders were breaking their way into the monastery. The ease with which they did so shows us how slight were the guards and protections surrounding royalty in that day. As the sounds approached, the party within looked to the fastenings of the doors, and found that they had been tampered with by treacherous hands within. The next glance was to the windows, but these were too well secured to prevent escape. The king had none but women round him; and, praying these to hold the entrance as well as they could, he staved up a flag or board of the flooring, and descended into a vault below. The poor women could offer small resistance to the coming force. It is recorded of one of them—a Douglas—that, finding the great bolt of the chamber door gone, she thrust her arm through the staples. This poor impediment was easily crushed, and but served to give a touching addition to the traditions of feminine devotion.

The place into which the king had descended was a cloaca, or sewer. As fate would have it, there had been an opening to it by which he might have escaped, but this had, a few days earlier, been closed by his own order, because the balls by which he played at tennis were apt to fall into it.

The murderers rushed like a tempest through the buildings, and, not finding their victim, were fain to believe that he had escaped. There was one, however—the same, apparently, who had destroyed the fastenings—who suspected what had happened; and when

the chamber of reception was examined, it was found that the floor had been newly broken. It was short work to tear open the flooring, and then their victim stood before them. When he spoke of mercy, Graham charged him as a cruel tyrant, who never showed mercy to others—nay, not to those of his own blood—and should now receive none. James was a strong man, and brave, like all his race. Though unarmed, he grappled with those who descended so fiercely that they bore the mark of his gripes to the scaffold. There were sixteen stabs in his body when it was taken up.[1]

[1] There is fortunately an account of this murder—undoubtedly by a contemporary, and to all appearance prepared by one who had the best information obtainable at the time. It is entered thus in Nicholson's Scottish Historical Library (p. 157), as "A full, lamentable Chronycle of the dethe and false murdure of James Steward, last King of Scotys, nought long agone prisoner in Englande yn the Tymes of the Kings Henry the Fifte and Henry the Sixte, translated out of Latyne into oure modern Englische tong, bi your simple subject, John Shireley." The translator says he finished his work in the year 1440. This tract has been three times printed—first, as an appendix to Pinkerton's History of Scotland, from the Accession of the House of Stewart; second, in vol. ii. of the collection called Miscellanea Scotica, printed at Glasgow in 1818; third, by John Galt, as a historical illustration to his novel of The Spaewife.

CHAPTER XXVIII.

James II.

FATE OF THE MURDERERS—AN INFANT KING—HIS CORONATION AT HOLYROOD—PLOTS FOR HIS CUSTODY—KIDNAPPED BY CRICHTON—THE HOUSE OF DOUGLAS—THE CHIEF BROUGHT TO EDINBURGH AND PUT TO DEATH—EFFECT OF THIS—SECRET SOURCE OF THE POWER OF THE HOUSE—CONNECTION WITH FRANCE—CONFLICT WITH THE CROWN — INFLUENCE OF THE CRICHTON FAMILY—MARY OF GUELDRES—THE DOUGLAS BAND—TRAGEDY OF THE TUTOR OF BUNBY—SLAUGHTER OF THE DOUGLAS IN STIRLING CASTLE—GATHERING OF THE SUPPORTERS OF THE HOUSE—PREPARATIONS FOR CIVIL WAR—THE TIGER EARL OF CRAWFURD—BATTLE OF BRECHIN—GREAT CONTEST WITH THE HOUSE OF DOUGLAS—ITS OVERTHROW FOR THE TIME—A PARLIAMENT, AND ITS DEALINGS WITH THE DOUGLASES AND OTHER MATTERS—INFLUENCE OF THE WARS OF THE ROSES IN ENGLAND—EXPEDITION TO RETAKE THE TERRITORIES CAPTURED BY ENGLAND—SIEGE OF ROXBURGH—DEATH OF THE KING.

THE murderers found immediately that their crime was a blunder. He who, in the light of their selfish interests and animosities, was a tyrant, was to the nation at large a popular king. The stability of the throne and the dynasty appeared in the accession without impediment of the murdered king's son, a boy of six years old. The cry of vengeance had arisen so speedily that from the roused citizens of Perth the murderers escaped with difficulty to their refuge in the mountains. The

chase after them, however, was too hot and determined to give them a chance of escape; and there are significant vestiges of the methods resorted to in the pursuit, in evidence of certain rewards given to Highland chiefs who made themselves useful on the occasion. A body of the principal actors sufficient to glut public vengeance seems to have been gathered. Like all others of that age, the records of their trials are lost, and we have nothing but accounts, all too horribly distinct, of the method in which they were put to death—for of course that was the only conclusion that could be to their doom, though it was protracted as long as life would hold out against powerful torture. In fact, the accounts we have of the death of these criminals by torture, seems to exhaust everything that the skill of the panderers to the cruel lust of the Roman emperors could devise, and everything that the imagination of the early painters, who delighted in the representation of martyrdoms, could imagine. It is necessary to keep in mind the toughness of northern constitutions to understand how the human frame supplied life enough to endure it all. Nailing to crosses and trees, mutilating, tearing with pincers, fire, pressing with weights and squeezing with thongs, so that the contemporary observer, who had a loyal horror of their deeds, could not describe the expiation without some natural relentings, feeling the process "full sick and piteous to look upon,"—"that it was to any mankind too sorrowful and piteous sight, and too abominable to see."[1]

The interest of the retribution centres in Sir Robert Graham, the demon hero of the tragedy. In the little

[1] Contemp. Ac., *ut sup.*

we know of this man there are glimpses of a sort of terrible grandeur. He was reputed to be a man of scholarly accomplishments and great learning. He was defiant to the last, and spoke his defiance so long as his lips had utterance, but it was not the expression of the mere impulse of brute obstinacy. He said there was no use of denying that he was guilty according to the notions of those who judged him, but he was righteous in his own esteem. He had slain the enemy who would have slain him and many others. He rose even to a far higher tone of justification than this, for he was supported by the hallucination that he was a martyr in a noble cause, and he proclaimed to the crowd that the day would come when a grateful posterity would bless his memory because he had rid the world of a tyrant. But still more distinct marks of strong and strange peculiarities of character were in an appeal made to his torturers—an appeal not to their compassion, but to their fears; it is thus reported: "I doubt me full sore that an ye continue thus your torments upon my wretched person, that for the pain ye will constrain me to deny my Creator; and if I so do, I appeal you before God the high and chief judge of all mankind after their deserts at the universal doom, that ye been the very cause of the loss of my soul."[1]

Graham, with one group of his assistants, suffered at Stirling; Athole and his grandson, with some others, were tortured to death in Edinburgh. We have seen their royal descent and claims, and some derisive accompaniments of the old man's punishment evidently point to the family's expectations. A paper crown was put on his head when he was tortured, and an

[1] Contemp. Ac.

iron crown was put upon the same head after it was removed and stuck on the shaft of a spear in the High Street of Edinburgh. The old man said he had no concern with the murder, but he admitted that he knew it to be in design, and said he had concealed this knowledge because he would not betray his own grandson to the royal vengeance.

There is some significance in finding that the coronation of the young king was in Holyrood, instead of Scone, where his ancestors had been inaugurated as far back as record or tradition traced them. The banks of the Tay had been shown, on startling evidence, to be too near the Highlands for safety. This was a change arising apparently in this manner: With the progress of civilisation and agricultural industry, the Celtic races had become more distinctly partitioned off into the territories not worth cultivating. To the Lowlander, whose instinct was industry, fell the level carse and fruitful strath; while to the Highlander, whose instinct was to carry off the fruits of his neighbour's industry, was left the wild mountain land, suited for the abode of systematic depredators; and this partitioning deepened the hatred towards each other of the two races, and rendered the territories near the Highland line more dangerous than they were of old.

Yet it can hardly be said that the poor boy on whom the crown of Scotland alighted was much safer in the Lowlands. To get possession of him, as the symbol of regal power, was the aim of the ruling houses of the day, and the method in which they put their policy in practice was by kidnapping him. The queen, after the murder, seeking a place of safety for herself and her child, found it in the Castle of Edinburgh. Sir Wil-

liam Crichton, the Chancellor, was governor of the castle. His is not to be counted one of the governing houses of the day; but the custody of the king gave him opportunities to advance his power, and he was a man who knew how to use them.

Beginning, however, rather abruptly to isolate the infant, to the alarm of the mother, she outwitted him, and spirited away the child. She announced her intention to make a short journey, under conditions so sacred that her motions must not be too curiously scrutinised. She was to make her pilgrimage to the shrine of Our Lady at Whitekirk, in East Lothian. This was a shrine illustrious in its day, having a special national sanctity as an avenger of English sacrilege, but now forgotten even in tradition.[1] The queen's selection was made, however, not on account of specialties in the character of the sanctity peculiar to this shrine, but because the natural way of reaching it was by going on shipboard at Leith. She had with her certain bales of luggage, in one of which her infant was concealed. When her vessel was cleared of Leith harbour, instead of sailing eastward, the head was turned to the west, and thus the queen conveyed her charge by water to Stirling, where Sir Alexander Livingston commanded.[2]

This incident made Livingston the rival of Crichton, and, for a time, a rival in the ascendant. The Earl of Douglas had been appointed Lieutenant or Governor of the kingdom, and his power was sufficient to have kept down all such rivalries, but he died in 1439, leaving a

[1] See above, p. 35. There is still an old church at Whitekirk, with some Gothic work about it, and, what is more rare in Scotland, the ancient barn in which the ecclesiastics connected with the establishment had stored their grain.

[2] Leslie, p. 13.

son only seventeen years old to succeed him. Thus for a time was postponed the career of the house of Douglas in Scots history. In 1439 the queen married Stewart, the Lord of Lorn, probably for the sake of a protector in the midst of the strong and unscrupulous men who were pulling at herself and her child. It certainly, from the aspect of events, does not appear that she was at first successful in procuring protection, for we find Livingston, as master of the situation, imprisoning both her and her husband. He afterwards obtained a remission or pardon for the act. These things can be only briefly told as facts, for the objects and policy connected with them cannot be discovered with sufficient clearness to be set down.

Crichton, as governor of Edinburgh Castle, was still a powerful man, and he made a successful stroke. Watching his opportunity, he took a force out to Stirling, and kidnapped the king as he was taking his morning exercise in the royal park. The boy was taken to Edinburgh in a sort of triumph, as rescued from his captivity in the hands of a traitorous subject. Thus again Crichton was able to dictate to his rivals. He was not unreasonable, however; and as it was desirable that the king should be under the protection of Livingston, we are told that Crichton was induced to submit to this arrangement, in consideration of certain rewards. The character of these is not stated, but there is no doubt that at this time the house of Crichton began to wax powerful, and little doubt that it profited by a tacit compact or partnership with Livingston.

Perhaps, however, more than by his own aggrandisement, the Lord Crichton of that generation became conspicuous for the manner in which he removed a

great impediment to his ambition, the aim of which was to rise through his influence in the court of the young king.

We have seen that the earldom of Douglas fell to a youth but seventeen years old. He became conspicuous by his haughtiness, extravagance, and display of power. It was reported that a thousand men-at-arms, many of them of knightly rank, rode with the Douglas. He kept a household that in princely expenditure made the royal establishment seem meagre and provincial. No one appeared for the young man at the high courts of the king's Parliament, or on any of the other occasions on which noble subjects did duty and homage to the throne. It was said, indeed, that he more affected having a sort of Parliament or great council of his own.

It was resolved by Crichton and his friends that the young Douglas should be put to death. He was invited, with great show of distinction and courtesy, to visit the young king in the Castle of Edinburgh, and he was so unconscious of treachery that he brought his brother with him. This both surprised and delighted the plotters, who seem to have been afraid that any attempt to lure both into their trap might have raised suspicion. They were both beheaded. Some form of trial there must have been, but, like all others of the age, it has been lost. The chroniclers tell us that the knowledge of their doom came upon them while, in unsuspecting security, they were enjoying the royal hospitalities, and that it was symbolically announced, according to a practice of the time, by placing a bull's head on the board.

This cannot be viewed as an act of private ven-

geance, arising out of family feuds. It was an affair of state, and must have had something to justify it as a piece of policy. A young man, inflated by pride because he finds himself rich and powerful, forgetting his position, and playing fantastic tricks, could not be a sufficient motive for such a deed; and we must look for its causes into the position of the house of Douglas as a power in the state. Undoubtedly, it was at that time the most popular name in Scotland. The Douglases had endeared themselves to the people by bearing a hand—and that a powerful one—in almost every contest which had gone to the securing of the national independence and the enhancing of the national glory. They were children of the soil, who could not be traced back to the race of the enemy or stranger. Whatever may have been their actual origin, they were known as rooted in Scotland at the time when the Norman adventurers crowded in. The Douglas was the first to throw himself into the national cause as a follower of Wallace. The good Lord James was the good King Robert's right-hand man, intrusted with the pilgrimage with his heart to the Holy Land. The achievements of the hero of Otterburn would alone have made a name illustrious; and the smaller affairs, in which it was ever a Douglas that was the victorious champion of Scotland, were countless. It was the Douglases fighting for their own land that redeemed the border counties from England when Edward III. had taken them as the gift of Edward Baliol. And here lay one of the great sources of their power; for it was not becoming, even if it were quite safe, to deprive such heroes of the spoil won by their sword and their spear. The fall of their rivals of March increased their

territorial influence; and at the time we have reached they were lords of somewhere about two-thirds of the rich district of Scotland lying to the south of Edinburgh, while they had estates scattered here and there farther to the north.

We have seen how the body of Scots under the Earl of Buchan served in France. It was deemed that a great accession to the national cause would be obtained if the services of Archibald, Earl of Douglas, with such a force as he could bring with him, were secured. But he was too great a man to be expected to come as an ordinary stipendiary, however high might be the rank and liberal the remuneration assigned to him. An embassy was sent, with Buchan at its head, to treat with him, and Douglas entered into alliance with France, by an instrument dated in October 1423. The slaughter among illustrious houses in France at that time put great store of territories and titles at the disposal of the crown, and in these the Scots adventurers amply partook. Douglas had for his share several domains, such as the countship of Longueville. But these were trifles beside his great reward in the dukedom of Touraine—one of the old provinces which held of the crown, yet was virtually a sovereignty. Within it, and holding of the duke, were many lordships and feudal domains fit to endow considerable houses in the duke's native country. Probably there never was a coronation of a king of Scots so splendid as the inauguration of the new duke in his capital, the ancient city of Tours, where he went in procession through streets hung with tapestry and strewed with flowers, to be received and welcomed by the archbishop and canons in the cathedral.

Such was the culmination of the fortunes of the house of Douglas.

We do not, however, see all that made the house of Douglas formidable to that of Stewart until we get at a fact of a nature to give an aim to the vast material powers in the hands of this house. They had more than one recent alliance with royalty; but this we may pass over, and look to genealogical points, which will carry us back to the group of competitors who solicited the crown of Scotland from Edward I. We have seen that the claim of the Comyns was subsidiary to that of Baliol at the time of the competition. Had there been an opportunity for that Red Comyn who was slain in Dumfries stating his claims, these would have been strengthened by two facts—the one, that Baliol and his son Edward had resigned the crown; the other, that he was the son of Baliol's sister, and thus took up the rights so resigned. Archibald Douglas, the brother and heir of the good Lord James, married Dornagilla, the sister of the Red Comyn, and the daughter of Baliol's sister.[1] She thus brought the claims of her slain brother into the house of Douglas; but, by the time we have now reached, these claims had been signally strengthened. It no longer rested on such a questionable foundation as the renunciation of their right by men still living. The house of Baliol was extinct, and all its claims were believed to vest in the representative of the Comyns. Thus the house of Douglas was descended from the elder daughter of William the Lion's brother—the house of Stewart from the younger. During the century and a half which had passed since King Edward,

[1] Douglas's Peerage, by Wood, i. 423.

sitting as lord superior, had decided that the line of the elder should be exhausted before that of the younger could succeed, this doctrine had made progress as the only solution of the problem of hereditary succession. It is the existing rule of succession to the crown of Britain. It could not be but that such a fact must nourish hopes in the house of Douglas, and become the natural centre round which their wealth and influence gathered. In fact, the house of Douglas was ready to become a royal dynasty whenever the course of accidents should bring their opportunity. We have seen that at the accession of the house of Stewart a vague idea was abroad that opposition was to be expected from the house of Douglas, though nothing was done to justify the supposition. It was not the practice of the powerful men of the time—and especially not that of the Douglases—modestly to abandon claims which they might be expected to press. But if we suppose that the hereditary claims of the Douglas were known, and in some measure acknowledged, it can easily be believed that publicly to found on them would have been an act of frantic folly. The remembrance of Baliol was so odious that, as we have seen, one of the Stewarts had to abandon the name of John because it had been borne by that man. On the other hand, the memory of Bruce was worshipped with a devoutness which it is difficult now to realise. A tradition kept obstinate hold on the Scots national mind that Baliol had basely sold the independence of Scotland for the right of calling himself king, and that from the beginning of the dispute the Bruce of the day had nobly asserted that he would never accept of the crown of Scotland but as that of an independent sove-

reignty. Such was the story, endeared to the national mind by traditions, ballads, and chronicles. Sober history took it up, and made it secure and respectable. It spread through historical literature at home and abroad; and it is believed to be read at this day with implicit reliance by a large portion of the reading community, although we have seen how utterly it is falsified by historical facts.

If the experienced heads of the house of Douglas kept all quiet about their descent from the elder line, it may be easily supposed that a youth of seventeen, finding himself the inheritor both of substantial power and royal traditions, should say and do things which the law without difficulty made out to be treason.

The genealogical conditions show us how the guardians of the young king on the one side, and the house of Douglas on the other, stood towards each other. We must not expect from the same source an explanation of every move in the game between them. It is as in the history of national contests—we know two states to have natural causes of enmity with each other, but we cannot find the particulars of the diplomatic difficulties which have begun or ended each quarrel. It has puzzled historians that a measure so thoroughly strong as the execution of the head of the house and his brother should not have been followed by a seizure of the Douglas estates as forfeited for treason. There might be reasons for this omission of an ordinary stage in trials for treason. The Douglas ruled a large territory, inhabited by a feudal hierarchy that seems to have, high and low, been strongly attached to their supreme lord. They were not likely to be conciliated by the occurrence in Edinburgh

Castle; and the cousin, and virtually the representative, of the young men, was a man of capacity, courage, and tenacity of purpose, in the vigour of life. A territory of this kind was not to be forfeited to the crown so easily as some meagre barony, the owner of which had got into political trouble and disgrace.

But even as matters went the blow weakened the house of Douglas. The representative of the two young men was their sister, and thus the province of Touraine, being a male fief, reverted to the crown of France.

The Scots domains, too, were divided. Margaret, the sister of the two young men, known in her day as the Fair Maid of Galloway, succeeded to one portion of them, and their granduncle succeeded to another. If we could discover the specialties of tenure which caused this division, they would, on account of what follows, be of no historical moment.[1] The granduncle, who unexpectedly succeeded to the other domains, was old and inactive, and is remembered in the history of that stirring house as James the Fat. He died in 1443. His son William, who succeeded him, was, as we shall presently see, a man of a different order. He presented at once so menacing a front that the two

[1] That great genealogist Lord Hailes wrote a powerful dissertation, showing that the succession to the house of Douglas had gone into a wrong line with the accession of the third earl in the middle of the fourteenth century, and that the whole strange career of the Douglases from that period down to 1488 is due to a genealogical blunder. The questions started by him have been taken up by a genealogist of later times, even more accomplished in his peculiar walk, but on this point at least neither of them has helped history. No historical student for a moment doubts the value—the word should perhaps be necessity—of genealogy for unravelling history. But the subtleties of the adepts are apt sometimes to lead beyond sober truth. The historian's genealogical

partners who shared the government—Crichton and Livingston—found it unsafe to declare war with him. Livingston had the custody of the king in Stirling Castle, and there one day Douglas appeared to do his humble duty to his sovereign. The request was not to be denied; but in granting it Livingston became partner with Douglas, and Crichton knew that he had to look to himself. Douglas professed to be distinguished by the favour of the young prince, then thirteen years old, and set forth that his Majesty had appointed him Lieutenant-General of the kingdom. It is questioned whether any such appointment went through the proper forms—it would have required, indeed, the co-operation of Crichton, who, as Chancellor, held the seals. But Douglas had the real power, and used it. A Parliament was called, to which Crichton was summoned. The Chancellor, knowing how little favour the house of Douglas owed him, thought it the safer plan to give defiance, so he remained within the Castle of Edinburgh, which he victualled and strengthened. The lieutenant-general easily took his family fortress of Crichton, but he held out the Castle of Edinburgh so well that it was deemed prudent to grant him terms.

conditions must be, in diplomatic language, the *status quo*. It is what was believed in and was acted on that is available to him—not what the skill of later adepts was to discover. The house of Hapsburg and many others turned to practical account genealogies which we know to be unfounded, but in which we must yet believe as having influenced history. It might, perhaps, be found on investigation among English genealogies that the Douglases were wrong in supposing that they represented the house of Baliol through the Comyns, since they descended from the sister, while he left two daughters, one of whom married an Englishman, while the other was married to the Earl of Athole, whose male descendants died out, while the female descendants married into English families.

Douglas meanwhile reunited the dominions of his house by obtaining a divorce from his wife, and marrying, by Papal licence, his cousin, the Fair Maid of Galloway, a child eleven years old. A few years afterwards, in 1449, there was another alliance, more illustrious, but of less historical moment. The young king was married to Mary, the daughter of the Duke of Gueldres. The bride was accompanied by a distinguished body of knights. They were received with as much magnificence as Scotland could afford, but the contrast of that with the wealth and luxury they left behind must have been very noticeable, for the Netherlands were then the richest part of Europe, and looked on Germany, and even France, as poor countries. If they did not find much substantial luxury, the strangers were received with the highest courtesies of chivalry, inasmuch as they were allowed fighting at the lists to their hearts' content. They were honoured, by permission, to pit their chosen champions against a like number of Scotland in one of those tournaments *à l'outrance*, which were no mere displays of skill, but deadly battles. At these entertainments they had opportunity to mark the power of the Douglas, who, it is said, had a train, or rather army, of five thousand men at his back.

As the young king was growing to manhood the Douglas was concentrating his power, and the elements of a crisis were fermenting. The Douglas had two ways of aggrandising his power by coalition with others, according to their rank and power. With some heads of great houses he sought an alliance, as if on terms of equality. Thus he entered into a bond with the Earls of Crawfurd and Ross. The former re-

presented the fallen house of March in its wrongs and enmities, and whatever remnant was left of its estates. The Earl of Ross was almost supreme in the Highlands, as the representative of the old Maarmors beyond Loch Ness and the Moray Firth. The bond was in the usual form, binding the parties to make common cause against all opponents. It does not seem to have included the Livingstons, but they were ranked as allies or dependants on Douglas. With smaller persons, especially those in his own neighbourhood, Douglas took more direct measures. He summoned them to attend him at the meetings over which he presided—a sort of parliaments—and if they neglected to appear they suffered. Those who thought themselves strong enough to offer resistance to the power of the Douglas, near his own territories, were sometimes brought cruelly to a sense of their folly. The slaughter of two persons of note were flagrant instances of the spirit of defiance in which he exercised his power—these were Herries of Terregles and Sandilands of Callander. Crichton, who, though shorn of his great power, was still Lord Chancellor of the kingdom, made a narrow escape from seizure by a party of the Douglases—and that so close to the centre of authority that he was at the time on his way from Edinburgh to go on shipboard in the Firth of Forth. One of the Douglas outrages was memorable from its dramatic incidents. Douglas had called a great assemblage of his own proper vassals, and of those neighbouring landholders whom he counted as under his banner. One of these, named M'Lellan, and called the Tutor of Bunby, as tutor or guardian to the young laird of that property, refused to attend the meeting. He was seized and taken to Douglas Castle. His

friends had good grounds to fear for his life. His uncle, Sir Patrick Grey, captain of the king's guard, busied himself for the captive's safety, and appeared, provided with warrants under the sign manual and the proper seals for the Tutor's release. Sir Patrick got a courteous reception from the Douglas. The guest must accept of hospitality in the first place—business would come afterwards. It is believed that the poor Tutor was alive when Sir Patrick arrived, and that Douglas, suspecting the object of the visit, whispered to an attendant to have him despatched. When the hospitalities were ended, Douglas read the warrant. To its full extent he was unfortunately not in a condition to comply with it. Sir Patrick, however, should have his nephew, though unfortunately he was somewhat changed in condition since his arrival in Douglas Castle—in fact, he was headless. Such was a specimen of the kind of acts of which an account was run up against Douglas at court.

In the midst of his career, it is part of his personal history that he made a pilgrimage or progress to Rome through France. He had, of course, his own object in this. It is not now known; but the affair has its significance from the royal character of his establishment and attendance, and the historical tone in which the event is chronicled. In fact, there are traces, not distinct enough to help to any absolute conclusions, yet generally importing that Douglas kept up busy communication with political persons abroad, and with leaders of parties in England, where the great feud of the Roses was giving opportunities for special combinations and alliances.

The king had now passed his majority, yet was there

no attempt to give battle to the Douglas. We know that the Livingstons were ruined, kith and kin. It is hard to say whether this is to be counted the beginning of war, by a skirmish with an outpost of the great enemy, or was a clearing of old scores with the Livingstons themselves, who, in the treatment of the young king and his mother, had given abundant materials for charges of treason. Douglas, at all events, did not take this as an act of war. He continued to bear himself with haughty courtesy towards the king, like an independent sovereign desirous to be at peace with his neighbour.

In the year 1452, just when the winter festivals were finished, the king desired to have a personal conference on matters of state with the Douglas, and invited him to be a guest in Stirling Castle. Like his cousins, he came seemingly without misgiving—a spirit of chivalrous reliance and a contempt of suspiciousness seem to have been part of the proud nature of the house. Of course he had guarantees for safety—some say it was the safe-conduct of the king alone, others that it was backed by the assurances of the noble persons who were to be his fellow-visitors. He arrived on the 13th of January. The party dined and supped with much cordiality and courtesy. After supper the king took Douglas aside into an inner chamber, where they spoke together. One topic after another was taken up, when the dangerous question of the Bands was opened—probably the one great object for which the meeting was desired. The discussion grew irritating. Douglas would give no sign that he was prepared to desert his allies. The king at last demanded that he should break the Bands. He answered that

he would not. "Then this shall," said the king, and he twice stabbed his guest. Sir Patrick Grey, who was at hand, and was no safe neighbour if the Douglas were at disadvantage, came up and felled him with a pole-axe. His body was cast from the chamber window into the court below.

The conditions by which this crime was accompanied and followed show that it was a mere act of ferocious impulse, and had no place in any settled plan. There was no preparation for dealing with its consequences. The king and his guests indeed had good reason to be alarmed for their safety. The murdered man had four stout brothers, who, with such force as they found at hand, surrounded Stirling Castle. The fortress was unassailable, and they were unable to do more than show defiance and contumely, and this they did in a public and flagrant fashion. It was said that they nailed the safe-conduct to the cross, that all men might read it, and then had it trailed through the miry streets of Stirling tied to the tail of the wretchedest horse that could be found, uttering the while what one chronicler calls "uncouth," and another "slanderous words." They burned and destroyed whatever property in the neighbourhood could be called the king's, and, going a step further, committed much mischief on the burghers of Stirling and other loyal subjects.

It appeared now to have come to the arbitration of the sword whether the house of Douglas or the house of Stewart should rule in Scotland. There was civil war from the border to the Moray Firth. Amidst the general confusion, in which almost every landowner was bound to take a side, we can trace the influence of the social and political peculiarities of the time. In

the north the influence of the house of Douglas depended on the league with the Earl of Ross, who ruled beyond the Moray Firth, and the Earl of Crawfurd, whose estates and feudal influence were in Strathmore and other parts of midland Scotland—the land of the Lyndsays. Between these two another feudal power was, however, consolidating itself. A generation earlier, Alexander Seton had married the heiress of the Gordons, who had considerable estates on the border. The Regent Albany gave them a tract of land called Strathbogie, lying in the barren slopes between the Highlands and the flat eastern districts of the north. There is an expression applied in Scotland to aggrandising landowners that they "birse yont," or press outwards. The Seton-Gordons "birsed yont," until in the end they superseded the influence of the earldom of Ross, and the Gordon was called "The Cock of the North." A great step onwards was taken by the generation at the period we have reached. The laird of Strathbogie and of several other estates was created Earl of Huntly. At this juncture King James made him lieutenant-general of the kingdom, and intrusted to him the royal cause in the north. With great goodwill to such work he undertook to deal with Crawfurd. The two houses were thoroughly at feud, and the head of each had fallen in a recent contest very characteristic of the times. It was with Alexander, second Earl of Crawfurd, that Douglas made his "band." It appears to have been Kennedy, Bishop of St Andrews—an able politician related to the young king, and much in his confidence—who discovered the band, and discussed it with the other advisers of the crown as a dangerous business. Crawfurd, taking

umbrage at the bishop's conduct, gathered his followers, and, in the words of a chronicler, set them "to make hereship upon the bishop's lands, and if they might, to apprehend himself, to keep him quick in prison, within irons, quhill further advertisement." This charge they fulfilled, and herried not only the bishop's lands, but also the "haill lands adjacent thereto, and brought great preys of goods out of Fyfe into Angus."[1] They did not catch the bishop, however, who remained within his strong castle, whence he attacked the invader with his own spiritual weapon, and "cursed" or excommunicated him, "whilk," as the chronicler says, "the earl highly vilipended as a thing of no strength, with no dread either of God or man." What speedily followed on the cursing, however, impressed upon others that it had "strength." The great Abbey of Arbroath appointed a member of the house of Crawfurd, as their most powerful neighbour, to be the justiciar or feudal judge over their dominions. The "master" or eldest son held the office. The monks complained that he used too freely the privilege of enjoying their hospitality by quartering on them large bands of his followers, not always of the most orderly or temperate habits, and that he was altogether "uneasy to the convent." Accordingly he was dismissed from office, and a justiciar was chosen from the next in power among the neighbouring families — the Ogilvies. But the master retained possession, and a dispute arose, which drew to a battle near Arbroath. Douglas sent a party of his Clydesdale men to help the Lyndsays, in terms of his bond. It happened at the time that the Earl of Huntly was a guest of the head

[1] Pitscottie, 32-3.

of the Ogilvies at Inverquharity, where he had accepted of hospitality on his way to Strathbogie. By the custom of the day he was bound to take up his entertainers' quarrel, and join with such followers as he had in the coming battle.[1] There his son was slain, and he had to flee for his life. The Lyndsays were victors, but at a heavy loss. It is said that the earl came up to stay the conflict, but he got his death-wound from an Ogilvie. It was noticed among men that this came to pass exactly on the first anniversary of the herrying of the bishop's lands. When he was dead "no man durst earth him" till Bishop Kennedy took off the curse.[2]

His son and successor, David Lyndsay, who inherited his friendships and quarrels, was called Earl Beardie, and also the Tiger Earl, both for personal characteristics that may easily be divined. It was with him that Huntly had now to deal. They fought an obstinate battle near Brechin. Crawfurd was deserted by the Laird of Balnamoon, who "was captain of the axmen, in whose hands the hail hope of victory stood that day." The Lyndsays were consequently defeated, and the Tiger Earl, as he fled to Finhaven Castle, was heard to say that he would readily abide seven years in hell to have such a victory as Huntly had won that day.[3] He afterwards made personal submission to the king, and was spared his life and part of his estates on a promise of loyalty, which he kept.

[1] It was "ane ancient custom amang the Scottishmen, that wheresoever they happen to lodge, they defend their hosts from all hurt, even to the shedding of their blood and losing of their lives for them, if need be, so long as their meat is undigested in their stomachs,"—cited as by Bishop Leslie, Lives of the Lyndsays, i. 128.

[2] Lives of the Lyndsays, i. 129-31.

[3] Pitscottie, 106-7.

Thus the formidable alliance was broken; but James, the brother of the murdered Earl of Douglas, reigned in his stead, and put the king at formal defiance as a perjured man and murderer, by a writing nailed on the door of the Parliament House. With a great army the king marched through his territory, and seized Douglas Castle; yet was it deemed not wise to drive him to extremities. Considerable sacrifices were demanded of him; yet it was observable that these should not be made by parliamentary forfeiture, but by treaty. The document bears date the 24th of August 1452. By it the earl engages to make no claims, by law or otherwise, on the earldom of Wigton and the lands of Stewarton, and engages to abandon all feuds or quarrels that might arise out of bygone events.[1]

Still the contest was not over. Douglas showed the secret power he possessed by marrying his brother's widow, and again uniting the divided domains which had fallen to different heirs. This was a thing not done in a corner. If a Papal dispensation had been necessary to enable his brother to marry the cousin of both, it was doubly necessary to legitimate a marriage with that brother's widow; yet the king, for his own reasons, did not oppose the procuring of the dispensation.

This was followed apparently by a knowledge that Douglas was in league with the English Yorkists; and on one ground or other the time had come when it was necessary to court the issue of a battle. A large force was raised—the chroniclers say of forty thousand men, and they give the same as the number collected by Douglas. The royal army besieged and took his Castle of Abercorn in Linlithgowshire — that one of

[1] Quoted, Appx. P. F. Tytler's History, vol. iii.

his strongholds which was farthest from his great border territory. Douglas was marching with his army through Lanarkshire to meet the king's forces at Abercorn, and, if possible, save his castle. A battle seemed inevitable; but, either through proffers held out to them or on their own view of the matter, the Hamiltons and several other of his followers would not measure swords with the king, and his army was so diminished that he dared not fight. A new power, too, was raised against him in a rival house of Douglas.

The first Earl of Douglas had for his third wife the Countess of Angus. They had a son who succeeded to this title, while his eldest brother became Earl of Douglas. The house of Angus gradually enlarged its possessions, and at the time of the contest with the elder house they possessed the great stronghold of Tantallon, at the opening of the Firth of Forth. Angus had been at feud with the elder branch of the family, whose followers had recently exasperated him by a plundering raid on his lands. He was appointed leader of the royal army. If it was his royal descent that attached any of the followers to the banner of Douglas, Angus partook in the distinction, and he could be supported without a direct contest with the crown. However it was, many of the border houses joined Angus. They met and defeated the army of the adversary at Arkinholm. Two brothers of the Douglas commanded in it: one, who bore the title of Earl of Ormond, was taken and beheaded; the other, the Earl of Moray, fell in the battle. Douglas made a last effort by getting his ally, the Earl of Ross, to invade the west coast; but it merely served to

enrich the Highlanders with plunder, and the great Douglas had to flee into England.

In the month of August of this year, 1454, an Act of forfeiture was passed against what remained of the house of Douglas—the Earl, his mother, and the only brother then alive, Douglas of Balveny. An enormous district of territory was thus forfeited to the crown, and more lordships were given away during the ensuing five years than in any similar period. The greater part of the spoil, however, went to Angus, whose race were, as we shall afterwards find, to rebuild the house of Douglas.

Parliament took the opportunity of this great accession of property to the crown to pass an Act for restraining the dispersal of the crown estates by gifts to subjects. Certain lordships and castles were to be inalienably annexed to the crown. These were—Ettrick Forest, the lordship of Galloway, the Castle of Edinburgh, the royal domains in Lothian, Stirling Castle and the royal domain surrounding it, the Castle of Dumbarton, with the lands of Cardross and Roseneath, the earldom of Fife, with the Palace of Falkland, the earldom of Strathearn, the lordship of Brechin, with some others of smaller moment and not readily recognisable by their names.[1] In the scanty legislation of the earlier part of this reign, there is another Act relating to landed property of far more moment, though affecting interests at the very opposite end of the social scale. We have seen that from a very early period the law affected the protection of the humbler class of feudal rights. Subsequent Acts had a similar tendency; but in the Parliament of 1449 it was distinctly enacted,

[1] Act. Parl., ii. 42.

"for the safety and favour of the poor people that labour the ground," that when they hold leases, these shall remain good although the ownership or lordship of the land should change hands.[1] While peaceful industry was thus encouraged, the legislative war against vagrancy was renewed in a shape which gives an insight into social peculiarities of the time. The preamble or purpose of one of these Acts is "for the away-putting of sorners, feigned fools, bards, and suchlike others, runners about." The sorners are described with an alternative as overlayers and masterful beggars. An utter distinction from the modern notions of a beggar comes out in the means by which they are to be identified, which is, by their wandering over the country with horses and hounds: these, with whatever other property they are found to possess, are to be forfeited, and they themselves imprisoned. The other class of persons dealt with in the Act are those "that make them fools that are not"—that is, pretend to be fools; and with these, in a manner that the lovers of romance may feel to be irreverent, are coupled, "bards and suchlike others, runners about." Nothing is said about these having horses and hounds. Still it is supposed possible that they may have some wherewithal. They are to be kept in ward or prison so long as they have any goods of their own to live upon. Failing that, it is provided—with the "excellent brevity" of the Scots Acts, though not with entire clearness of sequence—"that their ears be nayled to the Trone, or any other tree, and cuttet off, and banished the country. And if thereafter they be founden again, that they be hanged."[2]

[1] Act. Parl., ii. 35.

[2] Scots Acts, ii. 36.

Scotland stands alone among nations in the way in which her public documents deal with war and diplomacy. Other nations may look out for enemies in any quarter, Scotland knows of but one—our enemy of England; so that all legislative provisions regarding war, whether by way of defence or attack, have a singleness of purpose about them—they are directed against England. The precept of the sages, that the years of peace should be occupied in preparing for war, was followed pretty effectually in this reign. The method of arming the feudal force was revised and brought up to the knowledge of the day. The great new arm, artillery, was just beginning to excel the old mechanical contrivances for the casting of missiles, and had to be dealt with. Thus, while every man worth twenty merks is to have a jack with iron sleeves, with sword, buckler, and bow and quiver, or, if he be unskilled in archery, an axe and targe, it is thought speedful that the king request the great barons to have each a cart of war, "each cart to have two guns, and each gun two chambers, with the other graith, and a cunning man to shoot them;" "and if they have no craft in the shooting of them, as now they may learn or the time come that will be needful to have them."[1] An organisation was enacted for "bales," or beacon-fires, whenever an English army should threaten the border. The bales, and the force they are to represent, are set forth in a very business-like way. "A bale is warning of their coming, what power that ever they be"—that is, the lighter of the beacon knows nothing more but that an English force is stirring. Two beacons are to indicate that there is

[1] Act. Parl., ii. 45.

an army really coming to the border: "four bales, ilk ane beside other, and all at once, as four candles, shall be suthfast knowledge that they are of great power and means;" and these beacons are to be lighted up from height to height until the warning is seen across the Firth of Forth, so that "all may see them, and come to the defence of the land."[1] These preparations were for the future. Through renewal of the truces there had been peace with England, in so far that any contests occurring were to be counted as border raids rather than national wars. The Douglas was entertained and pensioned in England; and with the old enemy of his house, the Percy, he made an inroad. He was met and defeated by his rival kinsman, Angus. It was laid to the charge of Douglas that, before the restoration of Henry VI., the old claim of superiority over Scotland was renewed by England; but it was a mere casual affair of words, which scarcely went so far as to make a diplomatic controversy.

In fact, the independence of Scotland was at this time largely helped by quarrels in which the country did not require to take a part. The Wars of the Roses in England were in their most hopeless and disastrous stage. It was a time when an able and ambitious ruler might have followed up a bold policy for Scotland. The temptation was strong. According to the chroniclers, offers were made not only to restore Berwick and Roxburgh to the Scottish crown, but to make over to it the old disputed territories north of the Humber, as the reward of earnest and effective assistance. One chronicler, however, says, with much circumstantiality of detail, that the offer came from the

[1] Act. Parl., ii. 44.

Duke of York, who had an army in the north, while another brings it from King Henry.[1]

It was perhaps well for the future of Scotland that her Government did not throw itself at this juncture into either cause. The forces opposed to each other were too great for the intervention of Scotland to rule the issue, and alliance with the losing cause would be disastrous. Meanwhile, the active spirits in England had their hands full; and the annexation of Scotland —a notion never quite abandoned in England—was a project to be at all events postponed.

It is not unnatural, looking to the condition of England, to find an indistinctness in the national policy of Scotland at this time. The tendency was to help the actual sovereign on the throne, Henry VI.; but though his name remains at this period at the head of the chapters in the histories as King of England, his authority was suspended, and a sincere ally could not, in fighting for him, be sure of actually serving his cause. It is said, indeed, that when the King of Scots, as he did, gathered a large army and crossed the border, he was told that he did Henry's cause no good—the people disliked a Scots invasion in itself, and nothing would compensate for the unpopularity of countenancing such a thing. It is certain that a large Scots army threatened England, and a large English

[1] Pitscottie (151) makes it part of a tedious speech by a Yorkist ambassador. Bishop Leslie, on the other hand, is equally distinct in telling how King Henry promised "to restore unto the King of Scotland the lands of Northumberland, Cumberland, Durham, and other sheriffdoms, whilk the King of Scotland had of before, and been withhadden from him divers years, part of which promises were accepted by the King of Scotland, and confirmed by treaties and contracts made, sealed, and interchanged betwixt the twa princes in the year of God 1458."—Leslie's History, p. 30.

army threatened Scotland, yet that neither of them made serious war, or left the old marks of an invasion. The Scots, however, had still an object which was independent of parties in England—to clear the English out of Scotland. The enemy still had the great town and fortress of Berwick, and farther within the country they had the Castle of Roxburgh. Here it was resolved to begin, and the king himself conducted the siege.

He received there an unexpected ally in John, the Lord of the Isles, who was in one of the conciliatory and submissive fits which in his dynasty alternated with defiance. After the submission to James I., the lord of that period obtained that coveted earldom of Ross for which his father fought the battle of Harlaw. We now find the dynasty acting the independent prince again, and granting charters to heads of families in the north. The alliance with Douglas was a great opportunity for them; and we have seen that after the cause was broken on the border, the Lord of the Isles made himself sharply felt on the west coast. He was afterwards desirous of peace, and made offers of submission, which were not accepted, because, as it is said, he did not come in person and seek pardon in abject shape, like his father: the result of that affair—an imprisonment in Tantallon—was not perhaps a precedent to his liking. He got such encouragement, however, as made him believe that it was sound policy to help the king in his project; and so he came to the siege with "ane great army of men, all armed in the Highland fashion, with halbershownes, bows, and axes; and promised to the king, if he pleased to pass any farther into the bounds of England, that he and

his company should pass ane large mile before the host, and take upon them the press and dint of the battle."[1] He was very serviceable in sending out parties to forage in England for the army, or, as it is put, "to spoil and herrie the country"[2]—an occupation to which the Lowland forces were less accustomed than they used to be.

The resistance was obstinate, and the siege threatened to be a long one. This is the first memorable occasion—and it became only too memorable—of the use of artillery by Scots troops. There was a passion for making guns of enormous calibre—far too large for the imperfect mechanical science of the day to render them safe to those who handled them. A specimen of such guns may yet be seen in Mons Meg, in Edinburgh Castle, and there are several of them in the Netherlands towns. There was in the siege-train one of these monsters, which had been bought in Flanders by James I., but hardly put to use. The king was curious to see this gun worked—"more curious than became the majesty of ane king."[3] His curiosity cost him his life; and the method in which it did so is distinctly told. The cannon was made, after the practice of the time, of bars of iron, girded into a tube, with iron rings or hoops. These were too large to keep the bars quite close, so that oaken wedges were driven in under the rings. The expansion caused by the discharge of the gun drove these out, and one of them killed the king, while Angus, who stood beside him, was wounded. So fell James II., on the 3d of August 1460, in the thirtieth year of his age.

[1] Pitscottie (who, by the way, calls him Donald), 158.
[2] Ibid., 159. [3] Ibid.

CHAPTER XXIX.

James III.

A CHILD AGAIN ON THE THRONE—TUTELAGE OF BISHOP KENNEDY—THE LORDS OF THE ISLES—THEIR TREATY WITH ENGLAND—PROJECTS THERE FOR RENEWING THE CLAIMS OF SUPERIORITY—HISTORY OF THE FORGED EVIDENCE FOR THE CLAIM DEPOSITED IN THE ENGLISH TREASURY—RISE OF THE BOYDS—INTRIGUES ABOUT THE CUSTODY OF THE YOUNG KING—MARRIAGE OF THE KING WITH A PRINCESS OF NORWAY—ARRANGEMENTS AS TO THE SHETLAND AND ORKNEY ISLES—PARLIAMENTARY CONTROL ON THE PROPERTY AND POWERS OF THE CROWN—FALL OF THE BOYDS—ST ANDREWS MADE AN ARCHBISHOPRIC—STRANGE FATE OF THE FIRST ARCHBISHOP—FRANCE AND LOUIS XI.—THE UNPOPULAR KING AND HIS POPULAR BROTHERS—FATE OF THE BROTHERS—INVASION OF ENGLAND—THE KING'S UNPOPULAR FAVOURITES—THE SEIZURE AND HANGING AT THE BRIDGE OF LAUDER—THE DOUGLASES AGAIN—CONFEDERACY AGAINST THE KING—BATTLE OF SAUCHIEBURN—DEATH OF THE KING.

AGAIN Scotland was nominally under the rule of a boy. The next heir, James III., was but eight years old when his father was killed. This calamity did not stop the siege of Roxburgh. It is said, indeed, that the widowed queen came to the spot with her son and urged it on. The place was taken, and was destroyed as having been more available to the enemy than to Scotland. Berwick was now the last remnant of the English possessions on the north side of the border.

The government was for some time managed by Kennedy, Bishop of St Andrews, already mentioned as a sufferer in the outbreaks of the preceding reign. He was the first churchman to hold high political influence in Scotland; and his appearance upon the stage affords a slight glimpse of a more civilised and orderly future for the kingdom—not so much because he was a churchman, as because he was a man of peaceful and moderate counsels. His is one of the few political reputations against which no stone is cast. There was comparative peace for a time. The deadly struggle in England removed all fear of an invasion by the great enemy, and drew off many of the troublesome spirits of the Scots border, who fought with their Cumbrian and Northumbrian neighbours in the Lancastrian army. This party appeared to have come to its final doom, and Henry VI. and his queen found refuge in Scotland. The refugee king had still retainers in the north, and he was thus enabled to make over Berwick to Scotland. It is hard to say if he did so from gratitude for the asylum offered to him, or as an inducement to grant the asylum, or because he was thus able to take an item out of the kingdom gained by his enemy Edward. It seems clear that from the Government of Scotland he got nothing more than hospitality, and Edward IV. took no ostensible umbrage at this, continuing the peace with Scotland. At the same time he indulged privily in a little bit of enmity, which has a curious history.

We have seen how that potentate, the Lord of the Isles and Earl of Ross, had been doing his duty like a good subject at the siege of Roxburgh. He was encouraged in such courses by being appointed to an office of so thoroughly Lowland a character as one of

the wardenships of the marches. Within two years, however, his son, with a colleague or dependant, Donald Baloch, carried a great army over the north, rieving and ruining. Their operations were so wide that when the Lord of the Isles was called to account, he was charged with attacks on Inverness and Nairn in the north, and depredations in Bute and Arran in the south.[1] This invasion collapsed as suddenly and inexplicably as it had arisen.[2] People gave themselves little trouble about the cause of an outbreak from such a quarter. It might be the condition of the country on a sudden change and a minority; it was sufficient for the Lord of the Isles that he had an opportunity. It was discovered, however, though not for some years afterwards, that he had received powerful encouragement on this occasion.

Edward IV. throughout his ostensible diplomacy seemed anxious to keep on good terms with Scotland. He desired not merely to renew the truces, but to establish a lasting peace. Yet it was by him that the Lord of the Isles was lured on to his bootless expedition. On the 2d of August 1461, a commission is appointed for peace "with our beloved kinsman the King of Scots;" yet just two months earlier another had been issued for treating with "our beloved kindsman the Earl of Ross, and our choice and faithful Donald Balagh, or

[1] Act. Parl. Sc., ii. 109.

[2] Bishop Leslie gives this curious account of its conclusion, as appropriate to the marauders having plundered kirks and "girths," or sanctuaries: "The said Lord of the Ylis, and the principalles of his company, were suddenly stricken be the hand of God with frenessy and wodness, swa that thai loste all thair shippis and pray in the see in thair retorning; and thare throuch of thair ain will causit restore the Erle of Athole and his ladie agane, and came tham selffs to Saint Bridis kirk in Athole for the recovering of thaire health, as they wer na thing the better."—34.

their ambassadors, commissioners, or messengers."[1] The refugee Earl of Douglas was a party to this negotiation. It was brought to a conclusion by an elaborate treaty, bearing date in February 1462. By this astounding document it was covenanted that the Lord of the Isles should become for all his territory the liegeman of King Edward and his heirs; and that if Scotland should be conquered through the aid of the Lord of the Isles, he should be lord of the northern part of the land to the Scots Water, or Firth of Forth, while Douglas, should he give proper aid, was to be lord of all the district south of the Forth—both districts to be held in strict feudal dependence on King Edward and his heirs. Meanwhile, and until he should reap this brilliant reward, the Lord of the Isles was to have "for fees and wages" yearly, in time of peace, a hundred merks, and in time of war two hundred pounds, while his assistant, Donald, was to receive a retainer, amounting to about twenty per cent of these allowances.[2] This affair did not become known in Scotland until 1477, and we shall see what effect it had when it was revealed.

So little had there been in public events for many years to recall the old claim of homage that it might well be treated as a legend of past history. But some transactions of a thoroughly secret character have left clear evidence that the matter was not forgotten by the Government of England. It is just about the period when Douglas became a welcome guest at King Henry's Court that there are known to have been deposited, with much solemnity and mystery, in the English Treasury, a collection of documents momentous in the tenor of their contents. These set forth

[1] Fœdera, xi. 475-6. [2] Fœdera, xi. 484; Rot. Scot., ii. 405.

conclusive evidence of the vassalage of Scotland to the crown of England. They formed a complete series of writs. The fundamental document among them was a patent writ by Malcolm Canmore, acknowledging that he held the whole realm of Scotland and the adjacent islands in liege homage and fealty of Edward the Confessor, as his ancestors had held them of the King of England. The document is tediously elaborated with feudal technicalities, and all the reiterations which the Norman scribes employed so profusely to put the feudal obligation beyond question or cavil. To strengthen the acknowledgment it carries the consent of Malcolm's son, the Earl of Carrick and Rothesay, and of the magnates of the realm, and, as still extant, has appended to it a seal with the lion of Scotland in the double tressure. This is followed by a succession of documents connecting it with later times. A charter of King Alexander III., confirmed by David Bruce, grants certain privileges and immunities to the Church of Scotland, conscientiously reserving all the rights belonging to the sovereign overlord the King of England. To neutralise the Treaty of Northampton, King David issues letters patent, declaring that, notwithstanding any releases, quit claims, and so on, granted by any king of England, he holds Scotland in fealty of the King of England like all his ancestors. By other documents, privileges are conferred by the King of Scotland on certain persons, reserving the rights of the King of England as lord paramount; and subjects of Scotland offer their allegiance, reserving the same rights of the lord paramount. The documents are of considerable bulk, and tedious in the carefulness with which they accumulate testimony

to the admission by all grades in Scotland, from the king downward, of the nation's infeudation to the King of England.

The external history of this cluster of writs is that it was chiefly, if not entirely, collected by John Hardyng, the author of the 'Chronicle in Metre, from the first beginning of England until the Reign of Henry IV.' Among the other eminent events recorded by him are his own services in collecting these valuable writs, several of which he obtained, not only by subtle devices, but at the risk of his life. He got some pecuniary recompense for his services, but it did not content him; and in support of his further demands he produced, as a testimony to the value of his services to the King of England, a letter patent under the Privy Seal of James I. of Scotland, offering to pay to him "one thousand marks of English nobles without delay, de fault, or malyngyn," if he deliver up certain documents, which are easily identified as those which so seriously compromise the independence of Scotland.

The documents themselves are all palpable forgeries. They prove their falsity by gross anachronisms, and by a completeness for their purpose which, although they range over many reigns, could only be accomplished by what dramatic critics call "unity in time and place." The story illustrates the common moral, that those employed in treacherous projects are apt to deceive their own employers. The ostensible service of the person who brought this treasure to the Court of England was, that he had got fraudulent possession of the documents with great personal risk; his real service was their fabrication. He pleaded the

efforts which the King of Scotland made to recover them as enhancing their value, but the King of Scots' letter offering a reward for them is itself a forgery.[1]

One of the most important events of this period was the sudden rise of one fortunate family to unrivalled power in Scotland, and its still more sudden fall. The family of Boyd owned the estate of Kilmarnock, whence they took their title as lairds or simple barons, with several other estates. The genealogists can show that they had held offices of trust and performed public services, but as yet none of them had reached such state as to become historical. Their rise was accomplished in the one most effective stroke by which a fortune could be suddenly reared in these times—kidnapping the young king. The opportunity for this stroke seems to have come of the employment of Alexander, the younger of the two Boyds, to instruct the king in knightly and athletic accomplishments, in which Boyd was held to be an adept. It was proper, however, that his elder brother, the Lord Boyd, should have the leading part. To carry out the project with any hope of success, accomplices were necessary. They

[1] There seems little doubt that Hardyng himself had the chief hand in this complicated organisation of forgery. Sir Francis Palgrave says: "It is urged that Hardyng may have been misled; and that, having made a *bona fide* purchase of the documents, he was imposed upon by the knaves with whom he had his dealings. Hardyng, however, was in all respects more likely to be a deceiver than deceived. He was a diligent antiquary, a collector of ancient documents; and the style of the forgeries is just such as would result from an individual possessing archæological knowledge, and yet using it according to the uncritical character of his age."—Documents, &c., Introduction, ccxxiv. These forgeries have long been detected, but the most distinct exposition of them is given by Palgrave under the title, "Forged Documents relating to the Subjugation of Scotland." Whatever we may think of his critical sagacity as a historian, Sir Francis was not the man to be taken in by or to tolerate absolute forgeries.

fortified themselves by a Band or Bond, on the plan so often followed in Scotland, in which no specific enterprise was referred to, but those taking part in it simply bound themselves to stand by each other. To the influential persons who joined the Boyds in this engagement they must have represented the project as hopeful.[1] Lord Livingston, the Chamberlain, was one of the parties to the bond. In his court, held at Linlithgow on the 9th of July 1466, the young king was present on some pretext or other, when Boyd and his companions appeared and bade him accompany them to Edinburgh. They do not appear to have required to use any violence to the young king. The change of scene was perhaps a pleasant sensation, and his new guardians and friends had qualities which pleased and attracted him. Still it was an affair which might be a beheading matter to all concerned in it when an enemy got the upper hand; but those who played such games knew that they threw their life upon a die, and abode the issue. They did the best they could for their security: an Act or Minute of the Estates bore, that in the presence of the young king the Lord Boyd, respectfully kneeling, implored his Majesty to say if in any wise he and those who assisted in his removal had offended him, whereon the young king stated that, far from being offended at their acts, he held them in love and affection; and then he is made to declare his forgiveness and pardon of anything that might be construed into offence, and his resolution now and for ever to hold those concerned free of impugnment—all with an exuberance of expression and technical precautions which reveal the effort of the conspirators to

[1] Documents printed by P. F. Tytler, vol. iv., Appx.

make themselves as safe as recorded words could make them.[1]

The Boyds and their friends had now at their disposal whatever dignity, estate, or emolument was unowned or could be safely taken from its owner. The head of the house was appointed guardian of the king's person and governor of the royal fortresses. The names of the estates which in the records of the day are transferred to members of the house of Boyd, show that they speedily became masters of a vast tract of landed property.[2] Thomas, the guardian's eldest son, was created Earl of Arran in 1467, and married the Princess Mary, sister of the king.

Events in the foreign relations of the country now occurred which seemed destined to raise the influence of the Boyds, but in the end were connected with their fall. We have to go back two hundred years, to the battle of Largs; and the arrangement by which the Norse claims on the Western Isles were yielded up to Scotland for a money rent. This rent was not paid. It was small—only a hundred merks—and, as it has been said, merely nominal; yet two hundred years of arrears would accumulate into a considerable sum. King Christian, too, had a troublesome empire to rule, and money was at that time a great object to him, so he opened the question of payment or compromise. A large sum of money could not be easily realised in Scotland, and the territories over which the Government had no better hold than the feudal obedience of the Lord of the Isles were not a very valuable acquisi-

[1] This document has generally been accepted as it is printed in the Appendix (No. xxx.) of Crawfurd's Lives, &c., of the Officers of State.

[2] See Douglas's Peerage, *voce* Kilmarnock.

tion. The question was referred by both parties to their common ally, Louis of France. Before the question was brought to a point it became involved with another. King Christian had a daughter, Margaret, come to the age when it was desirable to seek a suitable husband for her. As there was occasional business between the two courts, her marriage to the young King of Scots began to be spoken of; and in 1467 a solemn embassy was sent from Scotland to treat of the matter, with power to look elsewhere for a bride to the king if negotiations with King Christian should fail. They prospered, however. It was agreed that, on his part, King Christian should abandon his claims for the arrears of rent on the Western Isles, and endow his daughter with sixty thousand florins of the Rhine. As it was not convenient for the Norse king to pay such a sum, he found security for it of a kind very satisfactory.

The Norse king, after the Treaty of Colmar, professed to rule over the three great Scandinavian states —Sweden, Denmark, and Norway. The Orkney and Shetland Isles continued, too, to be nominally under his unwieldy sovereignty. We have seen how they were at one time a part of the great ocean empire which was ruled from Norway, and included part of the north of Scotland and of the east of Ireland. That supreme command of the seas which made Orkney and Shetland more accessible to Norway than to Scotland had long ceased, and Scottish influence was pressing in upon Orkney. The bishop there virtually belonged to the Scottish Church. The great yarl was almost an independent prince, unless so far as Scotland checked him, and he had become virtually a Scots earl. Magnus

the last of the Scandinavian yarls, was succeeded by a daughter, who was the first wife of Malise, Earl of Strathearn. He took with her the yarldom or earldom of Orkney, and it passed, not in the proper line through her representative, but through a daughter of Strathearn's second marriage, to the house of Sinclair. Thus all connection with the original Norse stock was cut off.[1] King Christian proposed to secure fifty thousand florins of his daughter's dowry on the Orkney Islands. It next occurred to him that, with the exception of some two thousand florins for the bride's outfit, he might secure the balance on the Shetlands; and the proposal, as thus adjusted, was accepted. The ambassadors returned in July 1469 with the bride, and the marriage immediately followed.

The pledging of the islands was a transaction of a kind not unusual at that time and long afterwards. The northern courts were peculiarly addicted to it. It suited the policy of a government ruling outlying districts far from the centre of authority, and would have suited better if there had been anything like a certainty that on the repayment of the money the sovereignty over the impledged district should be as entirely uninjured by the transaction, as the ownership of an estate is when a loan secured on it is repaid. It was not a legitimate and understood result of this transaction that the islands were to become a part of Scotland, and be subject to the government and laws of the state. Technically, such a result might be likened to the holder of a security or mortgage on an estate entering at his own hand into possession, or to a pawnbroker wearing the clothes impledged with him. But

[1] Barry's History of Orkney, 194.

material differences are found in the conditions whenever we compare government with ownership. The burdened landlord collects his rents, and pays out of them the interest on his loans. King Christian found it more convenient to require his subjects in the mortgaged islands to pay over the Skat—the land-tax, or chief rent—to the King of Scots. Then, as in other questions between governments, there was no supreme authority to give the lender absolute possession when the time for repayment had elapsed—to foreclose, as it is called in England. Such a result had to come by degrees, and the degrees would be a gradual absorption of the pledged territory into the nationality of the creditor. Such a process is often accompanied by harshness to local or loyal feelings, and injustice to vested interests. The land economy of the islands was different from the feudal system as established in Scotland. Their population could not be said, like the Celts of the west, to be irreconcilable to feudalism, since they had come of the same race as those Normans who were the chief architects of the feudal system. But it had not gone into the northern cradle of their race, though it had gone to Scotland, and the Orcadian Udaller held by a totally different tenure from the Scots Feuar.[1] The Government, if it did not force, at least helped and encouraged the Orcadians to become Scotsmen. An immediate step was taken in this direction by a change which had no very formidable character in itself: the earldom of Orkney was

[1] The shape in which such collisions may come out as practical hardships is well told in the introduction to a volume printed by the Bannatyne Club, called 'The Oppressions of the Sixteenth Century in the Islands of Orkney and Zetland.'

obtained from the Sinclairs by exchange for lands and dignities in the south, and was annexed to the crown.[1] The dignity, as we have seen, had passed to a Scottish family in these Sinclairs; but it had not come by grant from the crown of Scotland, and it was desirable that it should be held by that tenure.

We have seen that within a very short time successive estates had come to the crown, and that Parliament adopted a policy about them; they were not to be at the disposal of the crown, but to remain regal domains for its support. Some of them were to be entirely inalienable; on others the restriction was placed that the crown could only part with them as a provision for members of the royal family. The object of this arrangement was doubtless to obviate the sudden elevation of favourites by the crown, and to save taxation by a revenue out of forfeited estates. Like many others in national politics, such an arrangement may work well or ill according to surrounding conditions. It seems well to avoid burdening the people when other means of meeting the cost of government are at hand, yet it has often been found that the needs of the crown and the necessity for taxation are the security for a nation's liberties. The practice of concentrating forfeited estates in the royal family was taken from France, where it had a very evil influence. The branches of the royal family so endowed were numerous, and became a nobility apart from others, whose great power and feuds among each other caused to France most of her internal miseries. In Scotland there was no such result; the branches from the royal family were few, and we find the law stretched to

[1] Act. Parl., ii. 102.

include royalties not coming within its actual letter. Thus Henry Darnley, to give him rank before his marriage, was made Earl of Ross; and the title of Orkney, raised to a dukedom, was given to the notorious Bothwell.[1]

The money secured on these groups of islands never having been paid, they came to be deemed part of Scotland, and after the union part of Britain.[2] They are nominally a county and sheriffship; but the two groups being distant from each other, with different interests, and local feelings so little in common as to be almost hostile, it has been found necessary to give them separate local institutions.

Boyd, Earl of Arran, was at the head of the embassy which negotiated the marriage and brought home the bride. He found a sad reverse of fortune awaiting him. Whether it was that, being the political head of his own family and faction, they became disorganised in his absence, or from some other cause, strong head had been made against him. In fact, his enemies only waited his return that they might include him in a general proscription of his house. His wife, the king's sister, sent him warning of his danger while yet he had not disembarked, and he returned to Denmark,

[1] The Act restraining the alienation of Orkney is not very stringently drawn (see Scots Acts, ii. 102), and was not strictly observed.

[2] It has been a question fertile in ingenious speculations in international law, whether, if payment of the dower of Margaret of Norway should at any time be offered, Britain would be bound to restore the islands? Supposing the original sum of money to be a matter beyond doubt, the accounting for the profits raised by the holder of the pledge, as pitted against the accruing interest, would be rather complicated. Thus, in advance of the pure question of international law would come two others hard to decide—How much must be paid? and what government is entitled to redeem the pledge?

accompanied by her, in one of King Christian's vessels. There was now a parliamentary trial of the Boyds for high treason. They were charged with the seizure at Linlithgow of the person of the king totally against his will, and with the degradation of the crown, by employing its power for their own ends and interests. They now found the futility of their parchment indemnity, which was held as naught. Only one victim, however, was to be obtained, for old Lord Boyd, after a faint effort to gather a force, fled to England. His brother, Sir Alexander, was condemned and executed.

The long list of their forfeited domains shows how wide their grasp had been in their day of power, and is enough in itself to tell us that they must have made a host of enemies in persons not only disappointed but injured. Besides their patrimony of Kilmarnock, there come up in the list domains which proclaim their own importance by their eminence as topographical names—for instance, the lordship of Bute, with its Castle of Rothesay; the lordship of Arran; the lordship of Cowal; the earldom of Carrick; the land of Dundonald, with its castle; and the barony of Renfrew.

These domains were all forfeited to the crown, but were not, in the usual manner, put at the disposal of the crown to be given away at pleasure. The Act of forfeiture rendered it incompetent for the crown to alienate any of them without the consent of Parliament, and assigned the greater portion of them as a principality for the heir-apparent of the crown.

Denmark was not a place where refuge could be got at that time from the wrath of the King of Scots; and although there are doubts about the subsequent fate

and history of the fallen Arran, we know that he was in England soon after his flight.[1] It was determined to strip him so entirely of all the gifts which royalty had heaped on him, that he must be deprived of the royal wife who had shown her fidelity by warning him of danger and following him in exile. Proceedings were taken to divorce him from his wife—on what ground or in what shape we do not know. She was afterwards given in marriage to the head of the house of Hamilton, which had been rising ever since it gave valuable aid against the Douglases. This marriage had a remarkable influence on the subsequent history of Scotland. So scanty was the progeny of the royal family that, by this marriage with the king's sister, the house of Hamilton became the nearest family to the throne. The head of that house was, in fact, either the actual heir to the monarch for the time being, or the next after a royal child, down to the time when, in the family of James VI. of Scotland and I. of England, there were more royal children than one.

Within five years after sweeping up the domains of the Boyds, the territorial influence of the crown was in-

[1] Some time before the end of the year 1472 he was in London living at the George in Lombard Street, where he was seen by John Paston, whose letters are well known. He borrowed 'The Siege of Thebes' from the family. Paston calls him "the most courteous, gentlest, wisest, kindest, most companionable, freest, largest, and most bounteous knight, my Lord the Earl of Arran, who hath married the King's sister of Scotland." And again, "One of the lightest, delyverst, best spoken, fairest archer; devoutest, most perfect, and truest to his lady, of all the knights that ever I was acquainted with."—Letters, ii. 97. M. Michel (i. 261) says he served with distinction under Charles the Rash, Duke of Burgundy, who raised a magnificent monument over his tomb in Antwerp; but he has no better authority for this than the statement of Buchanan, which stands in need of confirmation from abroad.

creased by another forfeiture. A resolution was adopted to grapple with the Lord of the Isles, and he was summoned to answer for his invasion of 1461. That affair, while it was supposed to have been only a raid by the Lord of the Isles, had been passed over as a trifle. In 1474, however, in the course of negotiations with England, in which the rights of the allies on both sides were considered, the Scots commissioners were made acquainted with the treaty between King Edward and the Lord of the Isles. This entirely altered the character of the Highland raid, and John of the Isles was cited to appear before Parliament on a charge of treason. He did not appear, and to bring him would have been a serious affair—nothing less than a civil war, which might have been a failure. Some demonstrations were made against him, whether with serious intent or as mere menace; but they were stopped, for he submitted to the king.

What followed showed that, though the form adopted was the submission of a criminal to the mercy of an outraged sovereign, the real character of the transaction was a compromise between two powers, one of them greatly the stronger of the two, though that which was the weaker had great resources both for self-preservation and annoyance. The earldom of Ross was taken and vested in the crown, with the condition that it might be bestowed on a younger son of the sovereign, but could not leave the royal family. We have seen before the serious consequences which followed the claims on this dignity by the Lord of the Isles; and it would appear that though it was refused to Donald, and on account of that refusal he fought the battle of Harlaw, yet it was held by John without any

patent or royal authority. He surrendered the territories of Knapdale and Kintyre: these are a noticeable feature in the map of Scotland, being a considerable portion of Dalriada, the colony of the Irish Scots. This territory and the sheriffdoms of Inverness and Nairn, also surrendered, remained with the crown.

The islands from which he took his picturesque title were left to the Lord of the Isles; and according to the philosophy of the heralds, his rank was raised by the transaction—at all events rendered more legitimate. It had been held by no patent or other writ, but grew like the title of the King of Scots. But on the 25th of July 1476 he was created a Lord of Parliament, as John de Isla, Lord of the Isles. Thus in one sense, instead of holding a mere title of courtesy like the Captain of Clanchattan or the Knight of Kerry, he was made a peer of the realm. From his own view, however, the affair was doubtless seen as an attempt to strip him of his monarchy. At all events, to the arrangements for making him a respectable subject of Scotland, his objections must have been formidable, for at the time of his creation into a Lord of Parliament we find that he had to be propitiated by the gift of considerable lands in central Scotland.[1] We have another testimony to the strong position of John of the Isles while treating with the king in this, that the patent of his parliamentary lordship was taken to his bastard sons. They were his heirs, as it would appear, by local custom, whatever the common law might say; in fact the Church, in requiring that the ecclesiastical ceremony of marriage be a condition of the succession of offspring, had made at that time no more

[1] Douglas's Peerage, by Wood, *v.* Isles and Ross; Act. Parl., ii. 113.

progress in the Highlands than it had made in Normandy when William the Bastard became Duke. If the king's advisers thought that they had thus made a peer of Parliament out of the Highland sovereign, they found themselves mistaken.

The year 1471 was remarkable for a great ecclesiastical change in Scotland. By a bull from the Papal Court the bishopric of St Andrews was raised into an Archiepiscopal or Metropolitan see. Such an institution is not in the Catholic doctrine essential to a Christian church, it is mere matter of order and dignity. Priests and bishops ordained after the legitimate form under apostolical descent are necessary, but an archbishop permanently presiding over them is not, and the Scots bishops chose a chairman or president among themselves as occasion required. It was desirable, however, that they should have a permanent head, were it for nothing more than to exclude the claims of superiority still occasionally maintained by the Archbishop of York. The distinction of the archbishop and the ensign of his investment, was the pallium or neck-band made of the wool of two lambs consecrated according to special ceremonies. It was worn always by the Pope, and its gift, with authority to wear it on certain solemn occasions, imparted to the legitimate wearer the Papal supremacy or authority.

The man who obtained this distinction for Scotland profited little by his service. He was Bishop Robert Graham, a nephew of James I. as a son of his sister Mary. He had been some time in Rome. It is believed that he had reason to fear the enmity of the Boyds, and that he abode there until their downfall. He was, as Archbishop of Scotland, also Papal Nuncio.

Thenceforth he led a life of trial and suffering down to a miserable end. It was quite natural that the suffragan bishops should feel little gratitude for that elevation of the ecclesiastical rank of their Church which was achieved by placing an immediate master between them and the Pope. Any jealousy thus created was aggravated by the special purpose of his nunciate, which, indeed, was apt to be unpopular throughout all the land: it was for the collection of a subsidy to make war on the aggressive Turks—an object of great alarm in central Europe, but not of much concern in Scotland. From causes like these it was obvious enough how the archbishop found enemies at home; but how he should have excited the wrath of the Court of Rome so as to bring himself to ruin, remained a mystery until the late publication of some Records of the Vatican. The chroniclers tell us that the poor man was driven insane by persecution. But if we are to admit only a portion of a report made to Rome by a commissioner appointed to inquire into his conduct, he had made considerable advances towards insanity in the exercise of his new powers.

He had, according to this document, proclaimed himself Pope, elect of God and crowned by an angel, for the reformation of abuses. In this capacity he revoked the indulgences granted at Rome, and appointed legates and prothonotaries in various parts of the world. He committed acts of oppression on his brethren under the dictates of the same hallucination which followed him in the performance of his religious duties; for it was charged against him that while under all manner of interdicts and injunctions he would perform mass, not only in order but three times

a-day. The document winds up with a general statement that the archbishop has become notorious for all manner of heresies, schisms, and crimes, in the pursuit of which he shows obstinate persistency.[1] His sudden elevation or some other cause must have turned the poor man's head.

On these charges sentence of deposition and degradation was passed against him. The proceedings at Rome must have been heartily backed in Scotland, since he was subjected to what no Roman sentence could have enforced without proceedings in Scotland. What these were we only know by the result. Archbishop Graham ended his days as a prisoner in the Castle of Lochleven, and when he died he was buried in the Monastery of St Serf, on an island of that lake. There is something extremely unsatisfactory in the account obtainable of ecclesiastical litigations and punishments at this period, in England as well as in Scotland. Of denunciations for political offences there is generally some record of parliamentary or other proceedings, showing that the thing has been done by a jury, or in some other shape, in the face of day; but about the ecclesiastical proceedings, whether they end in burning, as with Reseby and Crawar, or in ruin and imprisonment, as in the present instance, all is done in mysterious silence.

England still left Scotland unmolested, and, indeed, made cordial advances towards a lasting peace. In the July of 1474 proposals were made for the espousal or betrothment of the Princess Cecilia of England to the

[1] "In hiis omnibus pertinacem obstinatum et incorrigibilem esse obdurare et persistere, &c., publice notatum."—Theuier Vetera Monumenta, 480. Reprinted in Preface to Statuta Gen., p. cxvi.

Prince James of Scotland. They were, as the documents say, of too tender years to be themselves parties to the transaction, Prince James being two years old and the English princess three. But their union was made a political bargain between the Governments; and distant as the avowed object of the treaty must be, yet it took a practical shape at once. It was agreed, on the part of England, that a dowry of twenty thousand English marks should go with the princess. The payment of this money in instalments began immediately. It was stipulated that two thousand marks yearly should be paid for three years; after that the payment was to be at the rate of a thousand marks a-year until the twenty thousand should be paid up.[1] These payments, for which value might never be received, are exceptional in the transactions between England and Scotland, and have suggested the uncharitable supposition that they were a sort of black-mail or bribe to the Government of Scotland to hold back the borderers, and generally to restrain the country from attacks upon England.

Early in the reign of James III. there were preparations foreboding serious work in France; but as nothing came of them, they need only be briefly noticed. Louis XI. sent an ambassador to Scotland, whose personal history is interesting. Among the Scots who wandered into France during the hundred years' war was one who bore the name of Monypenny. His race prospered, and his descendant now came over as Louis XI.'s ambassador, with the name and title of Menipeni, Sieur de Concrescault. The cunning Louis seems to have chosen a man suited to his purpose.

[1] See the documents, Fœdera, xi. 815, 821, 824.

We find evidence that King James took steps for going over to France at the head of six thousand men, to reconcile the differences between Louis and the Duke of Burgundy—that is to say, to help Louis to crush his enemy. According to Comines, Louis had felt the value of his little band of Scots guards in this conflict, and he naturally wanted a large importation of the same valuable commodity. The matter went so far that the proportion to be borne by the Church of the expense of the expedition was adjusted. But the Estates interfered to stop it, pointing out to the king that he had enough to do at home, and commenting on the questionable dealing of King Louis as to the countship of Xaintongue, which was to have been made over to the crown of Scotland on his marriage with the daughter of James I.[1]

In carrying their point, and keeping the king at home, the Estates, to all appearance, did little service to the country. Whatever might have been lost by his going on an expedition to France, little was gained by his remaining at home. If much of the future of Scotland depended on his capacity for government, the country's prospects were poor; and yet, as we shall see, he had tastes and aspirations which have been the most valuable gifts of public men dealing with different conditions. His domestic history was tragical as well as miserable; and though he was said to be of gentle nature, yet there is little doubt that he was the author of events which brought the scandal of bloody doings on his household. His two brothers, the Duke of Albany and the Earl of Mar, are described as young men well fitted for popularity among a fighting people,

[1] Act. Parl., ii. 102, 104.

while their brother was a recluse.[1] There are stories about artful people having imposed on the king, and embittered him against his two brothers by tricks of sorcery and divination. When we have minute details of such things, they are interesting; but the accounts of these practices on the king are of a very general kind, and teach nothing. We know only the fact that the king dealt with both his brothers as a man deals with his enemies. The younger, Mar, died suddenly—murdered, it was said—in Craigmillar Castle. Those who desired to vindicate the king's name said Mar had been bled to relieve him from fever, and that the bleeding, being

[1] The following very picturesque account of the characteristics of the three brothers is in the Chronicle ascribed to Lyndsay of Pitscottie:—

"This prince had two brethers: the eldest, named Duik of Albanie and Earl of Merche, etc., who was verrie wyse and manlie, and loved nothing so weill as able men, and maid great coast and expences thairupoun. For he was wonderous liberall in all thingis perteaning to his honour; and for his singular wisdome and manhood he was estemed in all countries aboune his brother, the Kingis Majestie; for he was so dowbted amongest the nobilitie of the realme, that they durst nevir rebell againest his brother the king, so long as they war at one, for he was so hardie and wyse that they stood more aw of him nor of his brother. This Alexander was ane man of more stature, broad schouldered, well proportioned in all his members, and speciallie in his face, when he pleased to schow himself to his unfreindis. But the king his brother was different far from his qualities, for he was ane man that loved solitude, and desired nevir to hear of warre, bot delighted more in musick and policie and building nor he did in the government of the realme. Moreover, he was more diligent in conqueising money nor the heartis of his subjectis, and delighted more in the playing of instrumentis nor in the defence of the borderis and administration of justice, quhilk was his wreck and ruine, as efter followis. Bot we will returne to the thrid brother (John), Earle of Marre, who was ane fair lustie man, of ane great and weill proportioned stature, weill faced, and comlie in all his behaviouris, who knew nothing bot nobilitie. He used meikle hunting and hawking, with other gentlemanlie exercise, and delighted also in interteaning of great and stout hors and meares, that thair ofspring micht florisch, so that he might be served thairwith in tyme of warres."—Pp. 177, 178.

insufficiently stanched, had broken out while he was in a bath, and so killed him.

Albany was committed to the Castle of Edinburgh. He escaped, and fortified his own Castle of Dunbar, which was besieged and taken. In the mean time, however, he had left Scotland, and found his way to France. It is said that he went to get succour from King Louis —an extremely hopeless task; unless, indeed, he could prove, which he certainly could not, that Louis would in some measure gain by an expedition to Scotland, to fight for the Duke of Albany. It is said in the chronicles that Albany plotted to drive his brother from the throne and take it for himself. His subsequent career tallies pretty well with such a charge, yet the tedious details of the process of forfeiture raised against him almost disprove it—at all events, show that no acts could be brought up to prove it. Albany was, of course, technically guilty of treason in resisting the king. Among the other charges in the statute of forfeiture passed against him was that while, as one of the two wardens of the marches, it was his duty to protect England from injury, he had encouraged rather than suppressed border raids, in which the subjects of King James's beloved brother the King of England had been slaughtered and plundered.[1] We may feel assured this never had been brought up had there been anything so distinct as to be laid hold of in the shape of domestic treason, in the conduct of Albany. He had gone to France, as we have seen, and did not appear to meet the charges against him. They were not pushed to their conclusion by a statute of forfeiture,

[1] Act. Parl., ii. 125-29.

but were continued by adjournment, and so kept hanging over him.

In 1483 they were resumed. During the interval, as we shall see, he had given good reason for being counted a traitor to his country by taking actual arms on the side of England. Yet the full extent of his iniquities was not known. King Edward held communication with him in France, and at last brought him to England. There a regular treaty passed between them. Its basis was the acknowledgment of the feudal superiority of the crown of England over Scotland. In virtue of this power, King Edward made over the crown of Scotland to Albany as King Alexander IV. The new king engaged to perform all necessary ceremonials of homage whenever he was put in possession. He bound himself and his heirs to follow England in peace and war, and to break up the old league with France. He was, if possible, to take the place of his nephew, and marry Lady Cecilia, the daughter of Edward; but he promises this only if he can "mak himself clear froe all other women, according to the laws of the Christian Church"—a process which he might or might not accomplish. He had already got clear of his wife, the daughter of the Earl of Orkney, by the usual method of divorce on the ground of propinquity, but he afterwards married in France Anne de La Tour, the daughter of the Count of Auvergne.[1]

To rise in arms against the sovereign was a venial offence in that day. Since also the old dread of actual conquest had died out, it was no inexpiable offence to take aid from England. There cannot be a doubt, however, that such a transaction as this treaty would have

[1] Fœdera, xii. 156.

exposed Albany to execration from end to end of Lowland Scotland. It was a deed that dared not be revealed. To know that it was unknown to the public in its day, yet that some must have been privy to it, and others have suspected it, gives some clue to the hesitating and confused character of the events of the period.

King Edward had now in his service two eminent deserters from Scotland—the one Albany, the brother of the King of Scots, and a competitor for the throne; the other that great Douglas with whose career in Scotland we have already dealt. To stimulate hostility on the other side, King Louis of France sent an ambassador to Scotland. It seems to have been his policy to choose persons of Scots connection for this duty. He now sent over a Scotsman named Ireland, a doctor of the Sorbonne, who had, like so many of his countrymen at that time, sought and found his fortune in France. He was a man of accomplishments, and gained much personal influence over the king.

The position of England and Scotland was now that of two nations bullying each other from each centre of government, while there were casual inroads and contests on the border. The case for Scotland is curiously set forth in certain Acts and proceedings of the Parliament, which are more like documents arising out of an angry diplomatic controversy than the acts of a legislative body. The king and the three Estates being gathered and assembled in Parliament, profess to have understanding and knowledge that instant war is threatened by England, contrary to the mind and intention of their own king, who, so far from seeking a quarrel, had sent a herald and pursuivant with a pacific

despatch offering redress for any wrongs done on the part of Scotland contrary to the truce, on the condition of like reparation being made by England. The ambassador, however, was neither received nor for a time allowed to return, nor was any notice taken of the communication; and here the Estates vent their indignation by styling King Edward "The Riever Edward, calling himself King of England." Then, when to avenge this "lichtlying" of their sovereign lord, as the Estates term it, a great army was raised to pass to the invasion of England, a nuncio appeared, who required the two nations to stop their quarrel, presenting a Papal requisition to all Christian sovereigns to be at peace with each other, and unite against their common enemy the Turk. In obedience to this injunction, the King of Scots "scailed" or dispersed his force, trusting that the Papal injunction would be observed on the other side; but it was not observed, and, on the contrary, there was "incontinent great burnings, hereschip, and destruction done upon our said sovereign lord, his realm, and lieges."[1] It is therefore thought meet that, for the resisting and againstanding of the riever Edward, there should be a great muster of the whole armed force of the country. The usual method of summoning the array being imperfect, special messengers were appointed, which were to be "authentic persons and well-horsed men," "stuffed with money to make their expenses," who should summon, in the first place, the able-bodied men of the most distant regions before those near at hand were called, so that the rising should be simultaneous.[2]

There was thus assembled on the Boroughmuir, on the

[1] Acts, ii. 138. [2] Ibid.

west side of Edinburgh, one of the largest armies ever gathered in Scotland. The army, with the king at its head, marched southward through the Lammermuir Hills towards the border. It had reached the small town of Lauder, on a tributary of the Tweed, when its progress was interrupted by an incident which requires explanation.

King James III., among other defects of character, stands charged in history with a propensity for low company. He preferred, it is said, the society of artists and musicians to that of the nobility of his realm, and not only made them the companions of his leisure, but his advisers and agents in matters of state. The day had not come—if it ever is to come—when statesmen are chosen from the class so distinguished. But the disgust and wrath with which the chroniclers speak of the predilections of the king obscure their story, and leave us at a loss to estimate the class of persons promoted by him — whether any of them really was eminent in his own special walk, or all were mere charlatans who had the art of amusing and gaining favour from a weak man. One of his favourites, named Rogers, was a musician, but whether he was some humble performer, or a great composer to whom we may attribute the foundation of the national music of Scotland, there are no means of determining. Chief among all in the king's favour, and the hatred of the aristocracy, was Cochrane, called a mason; and here comes a like puzzle, whether he was a mere mechanic or the artist to whom we may attribute the revival of architecture in Scotland. When we deal with the question from the other side, and, looking to any one of the noble buildings which then began to adorn

Scotland, ask who was its designer and architect, history is equally silent. We are told that the king took great delight in the new buildings of Stirling Castle. Whoever looks at the wild, grotesque, vehement statuary, and the exuberance of ornament in the palace buildings of the castle, must pronounce them the work of an original and bold mind, and would fain know whether the unfortunate favourite of the equally unfortunate king had the creative intellect that fashioned such a work.

Very different were the points of keenest interest about Cochrane. He was charged with bringing to pass the death of Mar and the banishment of Albany. The obscure stories about the bringing of demoniacal influences to bear upon the king are also brought home to the mason raised above his degree. There was another and far more palpable source of clamour against him, in that, having a patent or contract for coining money, he caused commercial mischief and distress by debasing the coinage. With this heavy score of accusations standing against him, he was treated at court with an exclusive favour which the highest merit could not justify. He acquired vast wealth, and part of it came from a source that made it the object of offensive remark—the forfeited estates of the king's dead brother, the Earl of Mar. Cochrane, indeed, is said to have got the title itself, and is called Earl of Mar in the chronicles, though peerage lawyers question if he was ever formally invested with the earldom.[1] According to the chroniclers, he added to his offences by the magnificence of his establishment and apparel, and the number and insolence of his dependants; but

[1] Douglas, by Wood, *voce* Mar.

these are attributes with which the upstart raised by royal favour is ever attended. He was reported to be a man of commanding presence, and bold withal, who, to the haughty nobility who looked on him with menacing eyes, rendered scorn for scorn.[1]

Cochrane was with the king and his army at Lauder. A new mark of the royal confidence had just been conferred on him. A sort of train of artillery was dragged along with the army, and Cochrane was made the convoyer or manager of the guns. Here again we

[1] There is this picturesque account of the favourite in the Pitscottie chronicle :—

"In this meane tyme this Cochrane grew so familiar with the king that nothing was done be him, and all men that would have had thair bussines expeded dressed thameselffis to this Cochrane, and maid him forspeaker for thame, and gave him large money, quhairthrow he became so rich and potent that no man might stryve with him ; and he, knawing the kingis conditione, that he loved him better that gave him nor he that tuik from him, for the quhilk caus the said Cochrane gave the king large sowmes of money, quhairthrow he obtained the earledome of Marre from the king, and was possest in the same ; and evir clame hier and hier till he thought he had no pier of ane subject in Scotland, and speciallie in the kingis favouris ; for nothing was concludit in court nor counsall but by the adwyse of this Cochrane ; nather durst any man oppose againest his proceedings, war they guid or evill ; for, if they so did, he wold gar punisch thame sickerlie, for he had sick credit of the king that he gave him leive to stryk cunzie of his awin, as if he had beine ane prince ; and when any would refuise the said cunzie, quhilk was called ane Cochrane plack, and would say to him that it would be cryed doun, he would answeir, that he should be hanged that day that his money was cryed doun, quhilk prophecie cam to pas heirefter. For this Cochrane had sick authoritie of court and credence of the king, that no man gatt audience of the king bot be his moyane, or gave him geare, quhilk, if they did, thair materis and adoes went richt, wer thei just or unjust, or againest the commounweill, all was alyk to him, so that he might have his awin proffeit, for he abused this noble prince so, that non was receaved in court nor in offices bot such as would obey him and be of his factioun. Sua be thir meanes the wyse lordis counsaillis war refuised, and thair sones absent from the kingis service ; for no man durst cum to serve the king bot he that was a flatterrer with Cochrane, and counted all thingis weill done that he counsailled the king to doe."—Pp. 184, 185.

are puzzled; was he a vain incompetent person, taking a post for which he was unfit, or was it that the king, with a knowledge beyond his day, saw that the management of artillery required something more than the mere power of command, and found in a skilful architect the nearest kind of person to an officer of engineers? However this may have been, certain of the leaders of the army, meeting in wrathful conclave, resolved to make a clearing off among the favourites, and take the king into their hands. According to one of the chronicles, the Lord Gray, in reference to the dealing with the king, cited the fable of the mice who proposed to hang a bell from the neck of the cat that her whereabouts might always be known, but were much perplexed when they came to the practical question, Which of them should tie on the bell? At this point, Archibald Douglas, Earl of Angus, broke in with a "Heed not, I'll bell the cat," whence ever afterwards he held the nickname of Archibald Bell-the-Cat. They were assembled in the church, when an imperious knock was heard at the door; it was Cochrane with a message from the king. He is described as then attired in a riding doublet of black velvet, "with ane great chain of gold about his neck to the value of five hundred crowns, and ane fair blowing-horn in ane reckle (or chain) of gold, borne and tipped with fine gold at both ends, and ane precious stone called ane buriall (beryl) hanging at the ends thairof. This Cochrane had his howmont (helmet) borne befoir him, all overgilt with gold, and swa was all the rest of his harness; and his pavilion was of fine canvas of silk, and the cords thairof fyne twyned silk."[1] We are told

[1] Pitscottie, 190.

on the same authority how, on his entry, Angus pulled the golden chain from his neck, saying a rope would suit him better, while another Douglas laid hold on the horn. "My lords, is it mockery or earnest?" said the astonished man. He was told it was earnest, and he was to get the reward of his deservings in time bygone —and so the rest of his fellows. We are then told that they detained him quietly, "quhill they caused certain armed men pas to the kingis pavilion, and two or thrie wyse men with them, and gave the kyng fair and pleasant wordis till they had laid handis on all servandis, and tuik them, and hanged them over the Bridge of Lother befoir the kingis eyes."[1] Among those so hanged are enumerated not only Cochrane and Rogers, but Torphichen, an eminent swordsman, and two whose professions leave no question as to their humble origin—James Hommel, a vestiarius or tailor, and a certain Leonard, very expert in the cerdonic or shoemaking art.[2] The king was able, by his entreaties, to save but one favourite—a youth of seventeen named Ramsay.

Satisfied with the accomplishment of this business, the leaders abandoned the march southward, and carried the king to Edinburgh, where he was lodged with all honour and royal distinction in the Castle of Edinburgh, but with such arrangements for his protection and defence that he knew himself to be a prisoner.[3]

[1] Pitscottie, 192. [2] Ferrarius, Ap. to Boece, 395.

[3] "Efter this, ane lang tyme, the king remained in the Castle of Edinburghe as captive, and had certaine lordis in companie with him that took hold on him and keeped him in the said castle, and served him and honoured him as ane prince aucht to be in all thingis; for he was not put thair as ane prisoner, but for the mainteining of the commoun-

As the result of some undercurrent of intrigues which it would be useless to guess at, Albany came to Edinburgh, and desired that his brother, the king, might be freed from restraint. He was accompanied by the English Duke of Gloucester, whose interference, we are told, was received with jealousy, the chancellor saying to Albany—"My lord, we will grant you your desires; bot as to that man who is with you, we know him not, nor yet will we grant nothing to his desire."[1] The two brothers left the castle in amity—riding, as we are told, both on one horse—and Albany ruled for a short time. Whether it was, however, that his plot against the independence of Scotland was suspected, his going to England and seeking assistance there were brought up against him as treason, and he thought it well to leave Scotland. He left a justification of all evil suspicions by putting his Castle of Dunbar into English hands. Afterwards, along with the exiled Douglas, he attempted a raid into Scotland of an unaccountable character, for they had not five hundred men at their command. They were defeated. Albany escaped on a fleet horse, and afterwards went to France: old Douglas was taken, and the warrior prince was allowed his life on agreeing to spend its

weill, gave him leive to use all his directiones, giftis, and casualities at his pleasure, for nothing was derogate from him be reasoun of his auctoritie; and all lettres war given and proclamatiounes maid in his name, lykas as they war befoir at his inputting, nor no regent nor governour was chosin at that tyme, bot everie lord within his awin boundis was swome to minister justice, and to punisch thift and slauchter within thameselffis, or elis to bring the doeris of the same to the kingis justice at Edinburgh, and thair to be punisched or answer for the crimes thameselffis, and to be holden doeris of the same. Thus thair was peace an rest in the countrie the space of thrie quarteris of an yeir."—Pitscottie, vol. i. p. 193.

[1] Pitscottie, 199.

remaining days in the Monastery of Lindores. In this confusion Scotland suffered a loss. Berwick was retaken by the English army, which the host which collected on the Boroughmuir and dispersed at Lauder were to meet. The governor made what defence he could, but Albany held back from helping him with a force: he had promised this, and more, to England. It was announced from England that the marriage of Edward's daughter with the Prince of Scotland was no longer to be, though the curious bargain with Albany which superseded the arrangement was not a thing to be told. It is one of the incidents difficult to account for, that Scotland agreed to pay back to England the instalments of the princess's dowry paid up by England. The money was advanced by the corporation of Edinburgh, which received for this service certain privileges, and among them one which is still so far retained as to make the city exceptional among other municipal corporations in Scotland. It was constituted a county or sheriffdom, its magistrates having the jurisdiction of a sheriff; and in later times, when commissions of the peace were extended to Scotland, the city of Edinburgh has had a separate commission as a county in itself.

While Scotland was in poor condition for defence, and England was still menacing, there came a revolution which gave Scotland breathing time. Richard III. became king in 1483, and during his short reign he had too much in hand at home to trouble his neighbours. His successor, Henry VII., had similar motives for preserving peace. The truces were renewed, with the condition that the recapture of Dunbar Castle by Scotland should not be deemed an act of war—a condition

which proved the earnestness of England's wish for peace, since it made allowance for an enterprise too tempting to be abandoned. Royal alliances between the two countries had now become in a manner a traditional policy. More than one project of the kind was broken by the change of dynasty in England, and others negotiated with Henry VII. were interrupted by the tragedy which brought a change of kings to Scotland.

A powerful confederacy was organised against the king, which, after menaces and negotiations, assembled a large army. There has been much dispute about the grounds of quarrel which excited them to resistance. A declaration afterwards made by the Estates puts it clearly and briefly. It was because he surrounded himself with false counsellors, "whilks counsellet and assistet to him in the inbringing of Englishmen, and to the perpetual subjection of the realm."[1] This was in Scotland the inexpiable offence. That the king was thus in private treaty with England for aid to take vengeance on his enemies, and strengthen his hands, is believed by some, who have well considered the whole affair, to lack evidence, and leave it open to maintain that the confederates were influenced by other and baser motives, and that they threw out this charge because it was the most odious that could be raised, and would serve them as a full justification. There is little more in history to support the charge than this, that Ramsay, the one favourite spared at the hanging on Lauder Bridge, continued high in the king's favour—was created Lord of Bothwell, and was sent on three embassies to England. One of the ear-

[1] Act. Parl., ii. 216.

liest proceedings of James IV.'s Parliament was an Act of forfeiture against him on the charge of having, along with the Earl of Buchan and others, treated with the King of England for an attempt on the liberties of Scotland, marching thither in person with an army.[1]

Significance is given to the charge by the subsequent history of the men, which showed them—especially Ramsay—to be well suited for such a service. He was afterwards pardoned, and returned; yet, unknown to his countrymen, he acted as a spy and political agent to Henry VII.; and, in the year 1491, there is an indenture in which Ramsay and Buchan, on the one part, agree to give up the King of Scots and his brother into the hands of the King of England, who, on his part, agrees to advance to them the sum of £266, 13s. 4d.[2]

[1] "Pro proditoriis communicatione et laboratione cum præfato Rege Angliæ pro importatione certorum Anglicorum ad destructionem regni et ligiorum Scociæ, et pro instigacione et causacione dicti Regis Angliæ in propria persona cum suis armis et copia virorum in regnum Scociæ, advenisse."—Act. Parl., ii. 201.

[2] Fœdera, xii. 441. This Earl of Buchan was a son of the widow of James I. by her second husband, "The Black Knight of Lorn." He was popular in his day, and known by the characteristic of "Hearty James." The indenture does not carry his signature, and there is a natural disposition to consider that he should not be implicated in a base transaction on the testimony of a thoroughly treacherous man like Ramsay. Henry VII., however, was a good judge in such matters, and knew what he was about. Five years afterwards we find him receiving a thoroughly businesslike report from Ramsay, in which he speaks of his joint endeavours with Buchan, either under this indenture or some later arrangement, thus: "Please your grace, anent the matter that Master Wyot laid to me, I have been busy about it, and my Lord of Buchan takes upon him the fulfilling of it, if it be possible, and thinks best now in this lang night within his tent to enterprise the matter; for he has na watch but the king's appointed to be about him, and they have ordained the Englishmen and strangers to be at another quarter lodget but a few about him. I present my lord your letter, of the whilk he was full glad and well contentis."—Ellis's Original Letters, 1st Series, i. 22. This was

Such is the state of the case, and it is open to believe in the charge made against the king and his agent by the Estates, or to hold, on the other hand, that the confederates were acting on personal motives, founded on the possibility of being called to an account for the affair of Lauder Bridge and some others. At all events, the shape given to their insurrection cleared them of suspicion that they had any other motive than an objection to be ruled by James III. Their avowed and real object was to dethrone him, and make his eldest son, the heir to the throne, king in his stead. The son was but sixteen years old, so that he can hardly be supposed to have projected the enterprise and seduced the chief men in Scotland to serve his purpose, nor, from the history of the beginning of his reign, can we infer that any scheming conspirator proposed to get the government into his own hands, by setting on the throne a boy over whom he had established a mastery. Doubtless in the confederacy there were several leaders stimulated by personal wrong or disappointment. For instance, the Homes and Hepburns on the border were angry that the revenues of the Priory of Coldingham, which they sought to divide between them, should be devoted to the support of the king's favourite choir in the Chapel Royal of Stirling. But the confederacy, though it might be helped from such quarrels, rested on broader ground.

While the confederation was adjusting itself, there were meetings of Parliament, in which much business

written while the king was on his expedition with Perkin Warbeck, to be afterwards accounted for; and it seems to say that there was a good opportunity, for although in open camp, he had nothing but his ordinary appointed guard about him, while the Englishmen and strangers who might interfere were lodged at a distance.

was done. This shows us that the machinery of government was in working order, and went on though a king might be helpless, and the chief men of the country preparing for civil war. Some statutes were passed at the special desire of the Commissioners of the Burghs, and for what they deemed to be the furtherance of their commercial prosperity. Some of these were the re-enactment of old laws which had fallen into disuse, and among the others was one appointing a burghal legation or embassy to treat with the Imperial Court against the practice of granting letters of marque, which gave a sanction to the piracy which at that time infested every sea where merchant vessels sailed. One part of their business seems an odd one to have occupied men, many of whom had done acts bringing them thoroughly within even so much treason law as there was in Scotland, and who were preparing for more. The king's hands were tied up for seven years against granting remission or pardon to criminals, and that because of the trouble brought upon the land "through treason, slaughter, rief, burning, theft, and open hership, through default of sharp execution of justice, and over common granting of grace and remission to trespassours."[1]

It was seen that the confederate barons were assembling round them a far larger number of armed men than it was usual for them, as feudal chiefs, to keep in attendance on themselves. This gathering being in the southern part of the country, the king took boat in the Firth of Forth, and went into the northern counties, which were faithful to him. There he raised a considerable force. The confederates at the same time

[1] Acts, ii. 176 *et seq.*

massed their followers into an army, and all seemed leading to a war between north and south. The king marched to Stirling. Shaw, the governor of the castle, was with the confederates. He kept the prince, of whom he was the instructor or guardian, at their disposal, and refused to admit the king within the castle. The confederate army approaching, the prince joined them. It is said that they raised a cry of the prince being in danger from his unnatural father, and pointed to the fate of Mar, the king's brother. On each side the royal banner was displayed.

The armies approached each other at a small stream called Sauchie Burn, between Bannockburn and Stirling. There was some fighting, but hardly a battle. The king, though he had a large force in hand, took fright or lost heart. He was not warlike, and indeed appears to have been reputed as a coward,—the very worst kind of reputation that a King of Scots could bear. It was believed at the time that, among the satanic influences worked by Cochrane, there was a prophecy that he should die by the hand of his nearest of kin—that it was to defeat this that he had put to death his brother Mar; but now in his son, to whom he never had applied the prophecy, he saw its fulfilment coming. However it was, he fled, mounted on a spirited grey horse, which had been given to him that day by the Lord Lyndsay. He was unfit to manage the horse —"evil sitten," as a chronicler calls it — and was thrown and afterwards killed. The method of his death, according to the chronicler, was as follows. He had ridden across the Bannock Burn, when a woman filling a pitcher at a spring was startled by the sudden apparition of a horseman splendidly armed and attired

galloping past, and so dropped her pitcher. This made the horse shy and throw the king. The woman was the wife of a miller living hard by, and the fallen man was carried into their house, and laid on their humble bed. He told them his rank, saying he desired to have a priest to shrive him; and the miller's wife, in her excitement at events so strange, rushed out, frantically calling for a priest to attend upon the king. A man passing by said he was a priest, and, stepping to the bed, stooped down as if to do the duty of his office. Bending over the king, he stabbed him again and again, until certain that he was dead, and then vanished, so that no trace of him could ever be found. This wretched business came to pass in a place crowded with heroic memories. The king fled over the field of Bannockburn, and through his flight could look upon that in which Wallace had conquered Warenne.[1]

[1] The specialties of the battle of Sauchieburn and the king's death are preserved in local tradition with a minuteness denied to events of more illustrious character. A small old house, with crow-stepped gables, called Beaton's Mill, on the east side of the Bannock Burn, is believed to be the house in which the king was stabbed. It is no longer a mill, but it has evidently been one, as the course which brought the water down to it from a mill-race leading out of the Bannock is still very distinct; and, to complete the adjuncts, there is, on the opposite side of the road leading past the old house, a fine spring of water, at which the miller's wife is reputed to have been filling her pitcher when the horseman startled her.

CHAPTER XXX.

James IV.

CONDITION OF THE COUNTRY — DEALING WITH THE INSURGENTS — TREATY OF DOUGLAS WITH ENGLAND — QUARRELS OF THE ESTATES WITH THE PAPAL COURT—POLICY OF A DOUBLE HEAD TO THE NATIONAL CHURCH—ARCHBISHOPRIC OF GLASGOW CONSTITUTED—HISTORY OF PERKIN WARBECK AND HIS CONNECTION WITH SCOTLAND—QUARREL WITH ENGLAND— SCOTTISH COURTIERS SUBSIDISED BY ENGLAND—GROWING INFLUENCE OF SCOTLAND IN CONTINENTAL POLITICS—DEALINGS WITH SPAIN—THE SPANISH AMBASSADOR AND HIS ACCOUNT OF JAMES IV.—MARRIAGE WITH MARGARET, DAUGHTER OF HENRY VII.—CONFLICT WITH THE HIGHLANDS — THEIR CONDITION — THE SCOTTISH NAVY—SEA-FIGHTS—INFLUENCE OF FRANCE—WAR WITH ENGLAND — INVASION — BATTLE OF FLODDEN — DEATH OF THE KING — GREAT SLAUGHTER AMONG THE CHIEF FAMILIES—INFLUENCE OF THE EVENT AS A NATIONAL CALAMITY.

It does not appear to have been the object of the confederates to put the king to death. That he should have been slain, however, "of mischance," as the parliamentary proceedings expressed it, no doubt freed them from embarrassment.[1] The Estates issued the vindica-

[1] There seems to have been at first considerable difficulty in ascertaining what had become of him. In the Pitscottie Chronicle there is the following curious story:—"James the Thrid, unhappilie slaine in this maner, as is befoir rehearsit, King James the Feird, and all the rest of the conspiratouris that came againes the king, passed to Lithgow, and remained thair quill they gott word whidder the king was slaine or not.

tion of the rising, which has been already alluded to, and attributed the death of the King to the conduct of those who had gathered about him in hostile array

In this meane tyme thair came ane man to thame to Linlithgow, schowing thame that thair was two schipes of Captane Woodes travisching up and doun the Firth, of the quilkis schipes thair was on of thame called the Flour, and the other the Yellow Carvell. Thir schipes had sent thair cock boattis to land, and receaved in many hurt men within thame, of quhom they judged the king to be one. At thir tydings the whole conspiratouris tuik conjectur of the same thing, sieing that Captane Wood was principall servant to the king at that tyme, and having waiges of him, and he and his schipis had beine oftymes furnisched abefoir be the king, to pas quhair he pleased; thairfoir they beleived that he schould have awaitted upoun the king in the feild, and have broucht him to the schipis. They being certified of this matter, they raised thair armie and cam to Leith, and remained two dayes, and in the meane tyme send messingeris to Captane Wood, desiring to knaw if the king was in the schipes or noucht: who said he was not thair, and bad thame search and seik his schipes at thair pleasures, if they beleived not him. Upoun this answeir the messinger depairted back, schowing the captane's answeir; off the quilk the prince and the lordis war not content, and send messingeris back againe to Captane Wood, desiring him to cum to the counsall that they might inquyre of him how the matter stood. Bot he, on the other pairt, knawing that they had murthered his maister in maner foresaid, tuik suspitione of thame, that without pledges he would not cum in thair handis, that he might returne without harme or skaith to his schipis. This also the messinger reported unto the prince and the lordis, quho incontinent caused two lordis pas in pledges for the said Captane quill he schould be delyvered againe to his schipes; to witt, the Lord Seatoun and the Lord Fleming; sua the lordis war receaved into the schipes, and Captane Wood cam and presentit himselff befoir the lordis and prince, in the toun of Leith. Bot als soone as the prince saw the captane himselfe befoir him, beleived suirlie it had beine his father, and inquyred of him, 'Sir, ar yea my father?' who answeired, with tears falling from his eyes, 'Sir, I am not your father, bot I was a servand to your father, and salbe to the auctoritie quhill I die, and ane enemie to thame that was the occasion of his dounputting.' The lordis inquyred of Captane Wood if he knew of the king, or quhair he was? He answeired, He knew nothing of the king, nor quhair he was. Then they speired quhat they war that cam out of the feild and passed in his schipes? He answeired, 'It was I and my brother, quho war readie to have waired our lyves with the king in his defence.' Then they said, 'He is not in your schipes?' quho answeired againe, 'He is not in my schipes, bot would to God he war in my schipes saflie, I should defend

against the prince and his followers. A good deal of parliamentary business was immediately transacted; and on the whole the triumphal party were moderate in dealing with those who had taken arms against "the king that now is." The chief changes were merely official. The high offices of state were transferred to the conquering party. By a special Act, those of the enemy who held hereditary offices—"that is to say, wardens, justices, sheriffs, stewards, bailies, lieutenants"—were to be suspended from office for three years; and persons were appointed from among the leaders of the well-affected party to supersede them for that period. There were, however, no considerable changes of property. Ramsay, Lord Bothwell, was the chief victim, in the shape already referred to. His compan-

him and keip him skeithles fra all the treasonable creaturis who hes murthered him, for I think to sie the day when they salbe hanged and drawin for thair demeritis.'

"Then the lordis, sieing nothing in Captane Wood bot disphyghtfull answeiris and proud speakingis, they war not content thairwith; yitt they durst not put hand on him to doe him any skaith, becaus of the lordis that war pledges for him; ffor if they had done him any skaith, they wold incontinent have hanged the lordis that war pledges for him, quhilk, as it was, escaped narrowlie becaus of the long stay of the said captane. The lordis haisted away the captane to his schipes, and inquyred no moe tydingis of him. This being done, the lordis pledges war delyvered and tane on land againe who war richt flied, and schew the prince and the lordis, if they had holdin Captane Wood any longer they had been both hanged. Att this time the prince and the lordis war verrie commoved and desired certane skipperis in Leith to pas furth and tak the said captane and bring him in. To this effect they called all the skipperes and marrineris in Leith befoir the counsall, to sie quhilk of thame wold tak in hand to pas upoun the said captane, and they schould be furnisched with men, artillarie, and victuallis upoun the prince's expenssis, bot they all refuissed: and on Captane Bartone answeired and said, that thair was not ten schipes in Scotland that would give Captane Woodes twa schipes combatt; for he was weill practiced in warre, and had sick artilyarie and men that it was hard dealling with him aither be sea or land."—Pitscottie, 224-28.

ion, Buchan, confessed himself guilty, and was spared. A general amnesty was passed, by which "the king's highness of his grace, moved by pity, remits and forgives generally and specially all the burgesses, merchants, and unlanded men" who appeared in arms against him. There were provisions for the restitution of seizures, and for enabling the heirs of persons slain to enter on their estates, although it could not be truly found by the proper inquest that the deceased had died at the king's peace.[1] There was a rising against the new power in the west, under Lennox; in the north the Lord Forbes, taking example of Mark Antony, professed to display as his banner the bloody shirt of the murdered king,—but all was put down ere it had done so much as even to shake the new Government.

The transactions of the time let us see that the aristocratic element prevailed among the confederates, the democratic on the side of the slain king. Three years after his death it seems to have occurred that in what had been done concerning it something was wanting to satisfy public feeling. In 1491 the Estates express themselves anxious about "the eschewing and ceaseing of the heavy murmour and voice of the people, of the death and slaughter of umwhile our sovereign lord's father and progenitor, whom God assoyle, King James III., that the person or persons that put violent hands on his person and slew him are not punished." A reward of a hundred merks' worth of land in fee and heritage is offered to any one who shall reveal the perpetrators. There is a curious caution in the drawing of this Act lest it might be construed against those who were fighting against the king. On every reference to

[1] Scots Acts, ii. 107, &c.

the murder, and there are several, the words "committers of the deed with their hands" are used to express the persons sought after. It is observable that the tenor of this Act contradicts the chronicles, by the assumption that more than one person was concerned in the actual murder.

King Henry VII. was a pretty safe neighbour at that period. Though he reigned till the natural end of his days and founded a dynasty, few reigns have been more precarious and uneasy than his was at its beginning. Nothing but an extremely wary policy and a reliance upon his own sagacity could have saved him. He was, as Bacon says, inscrutable; and archæologists are continually turning up traces of his political movements which were entirely unknown to those who believed themselves masters of the political conditions of the day. Some of his diplomacy is so tortuous, that when we have the facts of it fully revealed it is yet difficult to understand the motive. We have seen already how he agreed with Ramsay, the forfeited Lord Bothwell, and with the Earl of Buchan, and others, for the seizure of the young King of Scots. The agreement stands alone among the miscellaneous records preserved in England; we know not what preceded or what followed it, or even whether there was any serious intention to give effect to it. Dated in the same year, 1491, there exists evidence of a treaty between Henry and Archibald, Earl of Angus—old Bell-the-Cat—the head of the house of Douglas. This document is imperfect in its most critical passages, but the tenor of it appears to be that the earl shall do his utmost to prevent the King of Scots from attacking England. If in the case of war Angus is unable to

hold his own in Scotland, he is to make over the Castle of Hermitage to Henry and receive an equivalent in England. It is not fully expressed in the remnants of the treaty, but it is to be inferred from the tenor of the transaction, that Angus was to side with England.[1] All the while the public diplomacy of Henry's Government bore marks of strong attachment to "our cousin of Scotland," and an anxiety to preserve peace by pressing the renewal of the truces.[2] This was long the uninterrupted tone of the English state papers; and in the summer of 1493 we find that Henry empowered ambassadors to treat of a lasting peace during the life of both kings, and for the marriage of the granddaughter of his uncle the Duke of Somerset to King James. We do not hear how this was received; the treaties actually concluded do not mention it.[3] It was Henry's policy to root his power in royal alliances, and he showed all along a strong anxiety thus to gain the King of Scots.

In this reign a discussion with the Papal Court, which had lasted for some time, appears to have thickened, if we may judge from the angry statutes passed over and over again by the Estates. In these, heavy denunciations are laid upon those ecclesiastics who go to Rome to purchase benefices, as it is called—that is, who back the pretensions of the Papal Court to dis-

[1] In Ayloffe's Calendars this treaty is entered as, "Articles agreed upon between Sir John Cheney and Sir Thomas Tyler, Knights, for King Henry VII. and Archibald Douglas, Earl of Angus, and George, his son, offensive and defensive" (p. 313). In Mr Gairdner's 'Letters and Papers illustrative of the Reigns of Richard III. and Henry VII.' (i. 385), everything that archæological skill can do has been done to bring out the tenor of this treaty from two mutilated records.

[2] See Fœdera, xii. 465, 473, 495.

[3] Ibid., 529, 535.

tribute all ecclesiastical patronage, by obtaining presentations there, and coming over to claim, through the influence of the Papal Court and of those clergy who support its prerogative, the rank and revenues belonging to the presentations. It was provided that the abbacies or benefices not in their original constitution in the gift of the Court of Rome should be bestowed, as was customary, by election or other form according to their constitution; and the doom of treason was laid against those who endeavoured to take these, or the rights of patronage enjoyed by the sovereign, to the Court of Rome. The practice so denounced, and also that of increasing the taxations on benefices and making revelations about the avail or value of the benefices, and so inducing the Papal Court to enlarge its claims on them, was said to cause "unestimable damage and skathe, considering the innumerable riches that is had forth of the realm therethrough."[1] Those ecclesiastics, indeed, who should give the Papal Court a hint to make taxations on the ecclesiastical revenues exceeding the old rate were liable to the forfeiture of their benefices.[2]

The practice of taking litigations to the Papal Court was also denounced, and all the litigants who had pleas there were ordered to bring home with them "their rights, bulls, writs, and muniments," that the questions at issue might be settled by the courts of law.[3] These and other like ecclesiastical difficulties seem to have been chiefly due to Schivas, Archbishop of St Andrews, who had too much of the Hildebrand and the Becket in his blood to co-operate harmoniously with the civil power. He was the leader of those who

[1] Acts, ii. 209, 232. [2] Ibid., 323. [3] Ibid.

persecuted Graham for the erection of the archbishopric which he himself now enjoyed; but he was not on that account negligent of its prerogatives, or of the legatine authority with which he was invested. The precedent of England showed that there were advantages in a double primacy, as creating division and rivalry in the supreme ecclesiastical power. It was resolved, if possible, to obtain a similar check in Scotland, and the Papal Court was besieged with message after message requesting the pallium for the Bishop of Glasgow, the cathedral of which, as King James says in one of his almost angry remonstrances with the Pope, "surpasses the other cathedral churches of my realm by its structure, its learned men, its foundation, its ornaments, and other very noble prerogatives." The king requests the Pope not to heed the remonstrances or machinations of the Archbishop of St Andrews, seeing that the policy of erecting a second archiepiscopate was solemnly adopted after due deliberation by the three Estates. This is in 1490; and next year the king writes to say, that if the reasonable request of his Government be not granted, he will consider that he is despised and scorned, and entreated as so zealous a supporter of the Church ought not to be. At length, on the 9th of January 1492, it was intimated that his Holiness had erected the church of Glasgow to archiepiscopal dignity, with carrying of the cross and the other metropolitan insignia, assigning to it the suffragan dioceses of Dunkeld, Dunblane, Whithorn, and Lismore.[1]

The archiepiscopal rivalry thus established had its bad as well as its beneficial results. The two archbishops had a clerical war with each other, so bitter as

[1] Burns's Calendar of State Papers in Venice, 204-210.

to disturb the peace of the whole land. They naturally carried their disputes to Rome, and with it money too for the contest. This of course tended to aggrandise the influence of the Papal Court in Scotland; and at last, in 1493, the Estates interposed with an angry statute, directed to put both the quarrelsome prelates to silence without entering into questions of right or wrong on either side. The king was to intimate the matter to the Court of Rome, as he and the Estates should adjust, and the parties were in the mean time "to cease and not to labour against the thing that shall be seen profitable to the realm," certifying them that if they disobey the injunction of the Estates, "his Highness will command and charge his lieges within this realm, that nane of them make finance, nor pay to them farms, rents, nor males for the sustentation of the said pleas, and bearing the money out of the realm."[1]

[1] Act. Parl., ii. 232. An actual disturbance arising out of these disputes gave Knox an opportunity of describing it thoroughly and heartily in his own way. Cardinal Beaton, Archbishop of St Andrews, went to Glasgow with his cross and all his pomp—for what purpose we are not told. His train, and that of Archbishop Dunbar's of Glasgow, had a competition for precedence, which, according to Knox, took the shape that follows:—

"The Cardinall was knowin proude; and Dumbare, Archibischope of Glasgw, was knowin a glorious foole; and yitt, becaus sometymes he was called the kingis maister, he was Chancelour of Scotland. The Cardinall cumis evin this same year, in the end of harvest befoir, to Glasgw; upoun what purpose we omitt. But whill they remane togither, the one in the toune, the other in the castell, questioun ryses for bearing of thare croces. The Cardinall alledgeid, by reassoun of his cardinallschip and that he was *Legatus Natus*, and Primat within Scotland, in the kingdom of Antichrist, that he should have the pre-eminence, and that his croce should not onelye go befoir, bot that also it should onlye be borne wharesoever he was. Good Gakstoun Glaikstour, the foresaid Archbishop, lacked no reassonis, as he thowght, for mantenance of his glorie; he was ane Archbishope in his awin diosey, and in his awin cathedrall seat and church, and tharefor awght to give place to no man: the power of the Cardinall was but begged from Rome, and apperteined but to his awin

The Bishop of Glasgow, who thus became the first archbishop—Robert Blackadder—also distinguished himself by his zeal, and in a form which to after-times in Scotland became far more offensive than that of the senior metropolitan. In 1494 he "delated," or sent up for punishment to the civil power, thirty persons convicted by the ecclesiastical judicatories of the Wycliffe or Lollard heresy. They were nearly all from the districts of Kyle in Ayrshire, and are known as the Lollards of Kyle. The heresies with which they were charged—thirty-four in number—are briefly rendered by Knox, who had access to the records of the process

persone, and nott to his bishoprik; for it mycht be, that his successour should nott be cardinall. Bot his dignitie was annexed with his office, and did apperteane to all that ever should be Bischoppis of Glasgw. Howsoever these dowbtis war resolved by the doctouris of divinitie of boith the prelattis; yitt the decisioun was as ye shall hear. Cuming furth (or going in, all is one) at the qweir door of Glasgw kirk, begynnes stryving for state betuix the two croce beraris, so that from glowmyng thei cum to schouldering; frome schouldering thei go to buffetis, and from dry blawes, by neffis and neffelling; and then for cheriteis saik, thei crye, *Dispersit, dedit pauperibus*, and assayis quhilk of the croces war fynast metall, which staf was strongast, and which berar could best defend his maisteris pre-eminence; and that thare should be no superioritie in that behalf, to the ground gois boyth the croces. And then begane no litell fray, but yitt a meary game; for rockettis war rent, typpetis war torne, crounis were knapped, and syd gounis mycht have bene sein wantonly wag from the ane wall to the other; many of thame lacked beardis, and that was the more pitie, and tharefore could not bukkill other by the hyrse, as bold men wold haif doune. Butt fy on the jackmen that did nott thare dewitie, for had the one parte of thame reacontered the other, then had they all gone rycht. But the sanctuarye, we suppose, saved the lyves of many. How mearelye that ever this be written it was bitter bourding to the Cardinall and his courte. It was more then irregularitie; yea, it mycht weall have bene judged lease majestie to the sone of perdition, the Pape's awin persone; and yitt the other in his foly, as proud as a packoke, wold lett the Cardinall know that he was a bischop when the other was butt Beatoun, befoir he got Abirbrothok. This inemitie was judged mortall, and without all hope of reconsiliatioun."—History, i. 145-47.

against them, now lost.[1] The civil power, however, was not inclined to further the persecuting zeal of the archbishop, and we hear no more of the matter.

In the year 1495 the Court of Scotland received a memorable visitor. He came thither as his Grace the Prince Richard of England, but is better known at the present day as Perkin Warbeck. Though every one is presumed to be acquainted with the genealogical conditions which opened up the episode in history of which he was the hero, it will tend to clearness briefly to note them here. The houses of York and Lancaster were both descended of Edward III.—York from Lionel the elder son, and Lancaster from John of Gaunt the younger. According to the genealogical rule now accepted, the house of York was thus the true line, and it was restored by Edward IV. He left several children, among others two sons; and no historical incident is better known than the murder of these princes in the Tower by their uncle the usurper, Richard III. When Richard was conquered and slain at Bosworth, Henry took the crown as representing the house of Lancaster. To fortify his title, however, he immediately married Elizabeth, the eldest daughter of Edward and the sister of the two princes. If these

[1] What was heresy to Archbishop Blackadder was orthodoxy to Knox, who says: "By these articles, which God of his merciful providence caused the enemies of his trewth to keip in thair registeris, may appeir how mercifullie God hath looked upoun this realme, reteanyng within it some sponk of His light even in the tyme of grettast darkness" (i. 10). In the early edition of Knox's History, by a French printer, one of these Lollards is called "Adam Reid of Blaspheming," which the editor of the standard edition of Knox shows to be a misprint for Barskimming. Mr Laing, the editor of that edition, has done all that topographical and genealogical knowledge can accomplish to identify others of the Lollards of Kyle.

were really dead, she was the heiress who represented the line of York; if either of them lived, she was not.

If such a thing as a judicial inquiry as to the murder existed, none was produced. Hence if any person came forward professing to be one of the princes who had been in hiding from his formidable uncle, it would be difficult to meet any run of popular credulity that such an apparition might excite. To prove the fact of the murder, testimony would have to come from those who would withhold it with all their might—the parties engaged in the murder or informed of the guilty secret. There was no other check on an informer but the difficult process of proving that he was not one of the princes, by proving that he came of other parentage. In fact, the conditions were of a kind which made it almost a political necessity that King Henry should have a tough struggle with some one started against him as the son of Edward IV.

He was very fortunate in the nature of the first attempt. Simnel, in whom the attempt was made, was a poor creature unfit for his part. The stories about him had to be changed, and were palpably false; and Henry, with consummate wisdom, instead of crushing him as a state criminal, gave him an under-turnspit's post in the royal kitchen. The wretched end of this affair might have checked further attempts, but there was a powerful woman determined, if the thing could be done, to find a son of Edward IV., and so trip up the house of Lancaster: this was the aunt of the two princes—Margaret, the widow of Charles the Bold, Duke of Burgundy. She spread the rumour that the younger of the princes was alive, could he but be found. She had means of knowing that the ruf-

fians sent to commit the murder, when they had despatched the elder were seized with remorse and smuggled the younger off, keeping him in disguise and secrecy—hence the difficulty to discover him.

At length her search was rewarded with success. "The news," says Bacon, "came blazing and thundering into England that the Duke of York was sure alive."[1] It was stated, and those who met him found it to be true, that he was of a comely noble presence, accomplished in body and mind, learned, and exceedingly persuasive. He was generous, confiding, and noble in his aspirations; in all things endowed with the fundamental spirit of princeliness; though it was natural that he should not retain an aptness for the etiquettes of a court, seeing he had been forced to accept of an obscure position and to wander over the world. France took up his cause. He was received there in great state and surrounded with a body-guard, the captain of which was the Sieur de Concrescault already mentioned as of Scots extraction; by him the stranger was accompanied to Scotland, and there is no doubt that the visit was arranged between him and King James. James had three years to ponder over the affair before he thus committed himself, for so early as 1492, when Warbeck was in Ireland, we find the King of Scots receiving a letter from "King Edward's son and the Earl of Desmond."[2] The king received the stranger with a hospitable state worthy of the rank claimed by him. The opportunity was taken to arrange a political matrimonial alliance, and the Duke of York was solemnly married to the Lady Catherine

[1] Kennet's Collection, i. 607.

[2] Extracts from the treasurer's accounts, Gairdner's Letters, ii. 327.

Gordon, daughter of the Earl of Huntly, and granddaughter to James I. From the badge of the York family she got the name of the White Rose of Scotland. She seems to have been devotedly attached to her handsome and accomplished husband. On his part there exists, addressed to her, one of the most remarkable love-letters ever penned—full of love and eloquent admiration, and toned with that high courtesy which the spirit of chivalry had then brought to its most extravagant development.[1]

[1] "Most noble lady, it is not without reason that all turn their eyes to you; that all admire, love, and obey you. For they see your twofold virtues by which you are so much distinguished above all other mortals. Whilst, on the one hand, they admire your riches and immutable prosperity which secure to you the nobility of your lineage and the loftiness of your rank; they are, on the other hand, struck by your rather divine than human beauty, and believe that you are not born in our days but descended from heaven.

"All look at your face, so bright and serene that it gives splendour to the cloudy sky; all look at your eyes, as brilliant as stars, which make all pain to be forgotten, and turn despair into delight; all look at your neck, which outshines pearls; all look at your fine forehead, your purple light of youth, your fair hair; in one word, at the splendid perfection of your person; and looking at, they cannot choose but admire you; admiring, they cannot choose but love you; loving, they cannot choose but obey you.

"I shall, perhaps, be the happiest of all your admirers, and the happiest man on earth, since I have reason to hope you will think me worthy of your love. If I represent to my mind all your perfections, I am not only compelled to love, to adore, and to worship you, but love makes me your slave. Whether waking or sleeping, I cannot find rest or happiness except in your affection. All my hopes rest in you, and in you alone.

"Most noble lady, my soul, look mercifully down upon me, your slave, who has ever been devoted to you from the first hour he saw you. Love is not an earthly thing, it is heaven-born. Do not think it below yourself to obey love's dictates. Not only kings but also gods and goddesses have bent their necks beneath its yoke.

"I beseech you, most noble lady, to accept for ever one who in all things will cheerfully do your will as long as his days shall last. Farewell, my soul and my consolation. You, the brightest ornament of Scot-

If such an act as this marriage be insufficient to prove King James's serious belief, that the man he dealt with really was the son of King Edward, it is fair to add to it the testimony of King Henry VII. himself, addressed to a neutral person, the Spanish ambassador. There seems to have been no stronger motive for Henry committing himself to a falsehood on that occasion than the rather inadequate one that he might compliment the King of Spain as an exception from the list of crowned dupes made by the impostor.[1]

King James determined to support the adventurer's claim by an expedition into England. An auxiliary force of French and Burgundians, with money and weapons, was brought over by Concrescault. The preparations were made in the summer of 1496, but the expedition does not seem to have crossed the border until the

land, farewell, farewell."—Bergenroth's Simancas Papers, 78, 79. The process by which the accomplished editor reaches the conclusion that this letter was addressed by Warbeck to his bride is very curious and convincing.

[1] The whole scene is very curious. "With respect to the observations of your Highnesses on Perkin, there is nothing to be said, except that he is kept with the greatest care in a tower, where he sees neither sun nor moon. The Bishop of Cambray, Ambassador of the Archduke, wished to see Perkin, because he had formerly transacted business with him. The king, therefore, sent a few days ago for Perkin, and asked him in my presence why he had deceived the Archduke and the whole country. Perkin answered as he had done before, and solemnly swore to God that the Duchess, Madame Margaret, knew as well as himself that he was not the son of King Edward. The king then said to the Bishop of Cambray and to me, that Perkin had deceived the Pope, the King of France, the Archduke, the King of the Romans, the King of Scotland, and almost all princes of Christendom, except your Highnesses. I saw how much altered Perkin was. He is so much changed that I, and all other persons here, believe his life will be very short. He must pay for what he has done."—Ibid., 186. In estimating the weight of this admission, it must be remembered that King Henry would expect what he said to be told to King James, with whom the Spanish representatives were in close communication.

month of September. King Henry had in his pay an accomplished spy hired to attend King James, and render an account of all that it was valuable for Henry to know. This was the same Ramsay, Lord Bothwell, who was spared at Lauder Bridge, who was forfeited on the charge of dealing between James III. and Henry for the subjugation of Scotland, and who stipulated for the seizure of James IV. and the delivering him to the King of England. He told King Henry that he had prevailed on the Earl of Ross, the king's brother, not to take part in the expedition: He says it is very unpopular in Scotland, where people speak of the folly of it, and are so inclined that, if King Henry should send a force under proper leaders, there would be the best day's work on his enemies ever King of England had these hundred years. If his advice be taken, Scotland will rue this expedition for ages; and he declares before God that no man in England will more willingly and truly help thereto than himself.—King Edward was never so much beloved by his people as when he was at war with Scotland, and here was a better opportunity than he ever had. Coming to particulars, he says that on the 15th of September the expedition will be within ten miles of the marches.[1] The mixed army of Scots and foreigners, he says, amounted to 1400 men; if he was accurate, the smallness of the force justified his assurance that the expedition was unpopular. It would show, too, that James attempted no more than to hand the pretender over to his followers in England. The spy had been, by his own account, admitted to consultations, at

[1] "At Ellam Kyrk, within x myll of the marches of England." In the united parish of Elem and Longformacus in Berwickshire.

which there was discourse about the reward that should be given to King James for his assistance when the heir of the house of York was restored to his own. One suggestion, seemingly a restoration of territory to Scotland, is of doubtful import.[1] The restoration of Berwick to Scotland was proposed, and payment by instalments, of a hundred thousand merks for the expense incurred by Scotland in connection with the project. Persons in the position of Warbeck seldom scruple to concede such demands; but he asked time for consideration, and, according to the spy, made his bargain—the restoration of Berwick, and the payment of fifty thousand pounds. The spy next claims credit for having been shown private instructions to the French ambassador, and gives details from them very complimentary to King Henry, and rather disparaging to the King of Scots, as one who had shown a quarrelsome disposition towards so good a neighbour—all which brought from King James an outbreak of wrath against that good neighbour and his neighbourly practices. The spy makes a tempting exposure of the nakedness of the land. He will warrant King James had not a hundred pounds until he coined his chains, his plate, and his cupboards. He had inspected Edinburgh Castle, and saw there but a poor provision of ordnance. Two great curtals or short cannon sent from France, ten falcons or light cannon, thirty cast guns of iron, with chambers, and sixteen close carts or tumbrils for spears, and powder stores and other stuff for loading guns. Such is a sample of

[1] "Anent the restorance of the vii hesdomis" in Sir Henry Ellis's version; in Pinkerton's, "anent the restoration of the vii sheriffdoms." The former is no doubt the literally correct. But what does it mean? One would naturally look, if it afforded any clue in that direction, to the old Cumbrian and Northumbrian districts.

the information sent by one who declares, "I shall not fail, by God's grace, in this business to do good and acceptable service; and there shall be no privy thing done, neither about the king nor in his host, but your Grace shall have knowledge thereof, and that is true and unfeignit, for I have established such means ere I depart."[1]

The information in these letters is of a kind that could only be given by one who had made his way to the implicit confidence of the person he was betraying. Ramsay seems to have been richly endowed with the art of pleasing. He was evidently a personal favourite with King James, who would willingly have restored his fortunes. His lordship of Bothwell was not to be had—it was in the fast grip of the Hepburns, who were to make its name renowned in a later generation; but King James gave Ramsay the estate of Balmain, and did him other acts of kindness. A character such as his is a novelty in our story, and attracts attention. Hitherto we have had to deal with rough consciences—with notions about loyalty, allegiance, and patriotism, which will not suit the social code of the present day. But here is our first encounter with the accomplished spy at full length—with the man who does not defy

[1] Letters from John Ramsay (calling himself Lord Bothwell), to Henry VII., Pinkerton, ii. 438, printed from the original MSS. in Ellis's Letters, 1st Series, i. 22. Among the pieces of byplay narrated by the spy the following is a specimen:—He was standing beside King James and Perkin when there arrived a Flemish captain, with two little ships and eighty German reiters. This captain professed himself devoted to King James, whom he had come to serve, and said emphatically, and with a meaning, that he would serve no other. "Then came Perkin to him, and he salute him, and asked how his aunt did, and he said, 'Well;' and he enquirit if he had any letters from her to him, and he said he durst bring none, but he had to the king." The "aunt" concerning whom he makes solicitous inquiries, thus dryly received by the Flemish captain, is the Duchess of Burgundy.

his oppressor, but becomes his servant, and accepts his munificence that he may learn his secrets and betray them to his enemy; who does not pass into sulky exile, but stays at home to serve his country that he may know its weakness, and lend a helping hand to its subjugation.

The quarrel thus raised with England, in a manner died out. The rising expected in the north of England was a failure. King Henry kept a force sufficient for the circumstances as they developed themselves, but not enough to show that he was seriously alarmed. The expedition against England was renewed in the spring of 1497, but so faintly as to appear like a pretence. At the same time Warbeck left Scotland, neither as an enemy driven out, nor, as it seemed, like an ally backed and supported. It is said in the chronicles, that James discovered his guest to be an impostor, yet would not give up the man who had eaten his bread and salt, and married his kinswoman; and the unmeaning results seem to confirm this. Whatever were his private thoughts, King James to the last gave the etiquettes of royalty to his guest, and dealt to him the same splendid hospitality as at first. On so magnificent a scale, indeed, was the outfit of the adventurer when he departed, that James was suspected of having sent him on some hostile expedition. The escort was commanded by Barton, the great Scots sea-captain. But if this looked like war, the fugitive's wife, the White Rose of Scotland, and her train, were in the expedition, and this looked like peace, at least upon the sea.

King Henry took this affair with great appearance of magnanimity and forgiveness, and in the autumn of 1497 negotiated for the renewal of the truces. In

truth, he could ill afford to quarrel with the King of Scots. While the Wars of the Roses had been sadly breaking up the stamina of England, the peace they brought between the neighbours gave room for the resources of Scotland to improve and grow. The country was becoming comparatively rich and powerful. It was connected by embassies to and fro with the great European states; and of late the mighty monarchs of Spain, Ferdinand and Isabella, had become deeply interested in the politics of Scotland, and had an accomplished ambassador at King James's Court, known as Don Pedro de Puebla. In his despatches to his own sovereigns he sent an account of the King of Scots—an account so vivid and individual that it would be valuable to history as a picture of the period, though, instead of dealing with a king, it had been a portrait of a living man of the day, too humble to be named in history. It is as follows:—

"The king is twenty-five years and some months old. He is of noble stature, neither tall nor short, and as handsome in complexion and shape as a man can be. His address is very agreeable. He speaks the following foreign languages: Latin, very well, French, German, Flemish, Italian, and Spanish—Spanish as well as the marquis, but he pronounces it more distinctly. He likes very much to receive Spanish letters. His own Scotch language is as different from English as Aragonese from Castilian. The king speaks, besides, the language of the savages who live in some parts of Scotland and on the islands. It is as different from Scotch as Biscayan is from Castilian. His knowledge of languages is wonderful. He is well read in the Bible, and in some other devout books. He is a good historian.

He has read many Latin and French histories, and profited by them, as he has a very good memory. He never cuts his hair or his beard: it becomes him very well.

"He fears God, and observes all the precepts of the Church. He does not eat meat on Wednesdays and Fridays. He would not ride on Sundays for any consideration, not even to mass. He says all his prayers. Before transacting any business he hears two masses. After mass he has a cantata sung, during which he sometimes despatches very urgent business. He gives alms liberally, but is a severe judge, especially in the case of murderers. He has a great predilection for priests, and receives advice from them, especially from the Friars Observant, with whom he confesses. Rarely, even in joking, a word escapes him that is not the truth. He prides himself much upon it, and says it does not seem to him well for kings to swear their treaties as they do now. The oath of a king should be his royal word, as was the case in bygone ages. He is neither prodigal nor avaricious, but liberal when occasion requires. He is courageous, even more so than a king should be. I am a good witness of it. I have seen him often undertake most dangerous things in the last wars. I sometimes clung to his skirts, and succeeded in keeping him back. On such occasions he does not take the least care of himself. He is not a good captain, because he begins to fight before he has given his orders. He said to me that his subjects serve him with their persons and goods in just and unjust quarrels exactly as he likes, and that therefore he does not think it right to begin any warlike undertaking without being himself the first in danger. His deeds are as good as his words. For this reason, and

because he is a very humane prince, he is much loved. He is active, and works hard. When he is not at war he hunts in the mountains. I tell your highnesses the truth when I say that God has worked a miracle in him, for I have never seen a man so temperate in eating and drinking out of Spain; indeed, such a thing seems to be superhuman in these countries. He lends a willing ear to his counsellors, and decides nothing without asking them; but in great matters he acts according to his own judgment, and, in my opinion, he generally makes a right decision. I recognise him perfectly in the conclusion of the last peace, which was made against the wishes of the majority in his kingdom.

"When he was a minor, he was instigated by those who held the government to do some dishonourable things. They favoured his love intrigues with their relatives, in order to keep him in their subjection. As soon as he came of age, and understood his duties, he gave up these intrigues. When I arrived he was keeping a lady with great state in a castle. He visited her from time to time. Afterwards he sent her to the house of her father, who is a knight, and married her. He did the same with another lady, by whom he had had a son. It may be about a year since he gave up —so at least it is believed—his lovemaking, as well from fear of God as from fear of scandal in this world, which is thought very much of here. I could say with truth that he esteems himself as much as though he were lord of the world. He loves war so much that I fear, judging by the provocation he receives, the peace will not last long. War is profitable to him and to the country." [1]

[1] Bergenroth's Simancas Papers, 169, 170.

The strong and almost critical interest which the Spanish Government then took in Scotland arose from causes which seem obscure and confused at a first glance, yet render themselves perfectly distinct on close inspection. Spain was then taking the position it held down to the day of the Armada—that of champion and protector of the Popedom—the leader of the Ultramontanists, according to a recent nomenclature. King Ferdinand was framing a Holy Catholic League, of which he was to be the head. Protestantism had not yet become the dragon worthy of attack from such chivalry, and the great object of the league was to humble France, and that on account of the privileges asserted by the Gallican Church, which were held by Spain to savour of ecclesiastical independence, and to be inconsistent with the passive obedience which all provinces of the Christian Church owed to the see of Rome. It was Ferdinand's desire to bring the King of England and the King of Scotland both into this league: the latter feat would be a double triumph, as taking a friend from France and giving one to Spain and the Pope. The plan for a hold on King Henry was the first idea completed—it was to marry the Spanish Princess Catherine to his eldest son Arthur. But there were misgivings about the stability of his throne, and these seemed likely to be realised when the new claimant appeared. Hence came that anxious scrutiny into Warbeck's sojourn in Scotland. There were searching inquiries made, too, all over Europe about him; and it was probably in receiving the results of these from the Spanish ambassador that James came to the knowledge of Warbeck's history. At all events, the difficulty was cleared away. Henry

was seen to be so well established that the matrimonial union was a safe speculation. The young husband afterwards died. In general such events, when there is no offspring, break up even political unions by marriage. The interests here at stake were, however, so momentous that the usual impediments must be broken down by the all-powerful parties to the combination. Catherine, as everybody knows, was married to her husband's brother and heir. It seemed as if, in this instance, death itself had been conquered. Yet in all history there is perhaps hardly so broad a contradiction between the course which events took and the course it was intended they should take. The object was to strengthen the Papal power; the actual result was that outbreak of Henry VIII. against the Pope which rang over all the civilised world in its day, and is ringing yet.

The Spanish monarchs, as we gather from their letters to their ambassadors, were heartily sorry that they had not another daughter by whom they might secure King James of Scotland. In fact, while the cloud hung over Henry, they were uncertain whether Scotland might not be the better bargain for the one they had. They went so far as to let their ambassador open to King James the prospect of a marriage with a daughter of Spain. The king took it up all too eagerly, and sent an ambassador to Spain about it. When Don Pedro in Scotland found the English marriage as good as settled, he was sorely at a loss how to act, and an ingenious device was suggested. King Ferdinand had a natural daughter. Let a story of an early private marriage be got up, and let this daughter, as the fruit of it, be offered to the King of Scots. He might think her too old, and refuse her,

but then faith would be kept with him. This was but a suggestion, however, which hardly took shape. Spanish honour repudiated it on consideration as an ignominious imposition. But while such a deception is condemned, the ambassador is charged faithfully to carry out another—to keep the King of Scots still in hope of a marriage with a daughter of Spain, though that was impossible without breaking faith with King Henry.

As the negotiations with England drew to a practical conclusion, Ferdinand was very nervous. Should King James discover how he was duped, it was all over with the project of detaching him from France and attaching him to the Holy Catholic League. Further, with the King of Scots as his enemy, King Henry would be almost helpless as a member of the league, so entirely would he have to devote himself to the protection of his own dominions. Hence Ferdinand implored his ambassadors to keep the negotiations secret from the King of Scots, when they were all but concluded. At one stage of the proceedings we find Queen Isabella, in an anxious letter to the Spanish ambassador in England, Don Puebla, instructing him not to apply to the Court of Rome for certain sanctions regarding the marriage, which might otherwise be convenient, because the King of Scots might hear of the application.

The way which the Spanish Court saw out of the difficulty happened fortunately, as it seemed to correspond with King Henry's own views;—before King James hears of the English match as a fixed arrangement, let his own hopes be gradually lured towards the English Princess Margaret. A Spanish princess married to the heir of England, her sister-in-law the wife of

the King of Scotland—here would be a sound foundation for a family compact, giving strength to the Holy League. In opening this view, however, Spain sees a difficulty. The Princess of England was so young—she was born in 1489—that King James might not agree to wait for her, or, if agreeing to do so, might break off. He happened, however, to be occupied with other loves, and not to be impatient for a political alliance. King Henry was at least as anxious as King Ferdinand for this disposal of his daughter. So early as the year 1495 he had suggested the arrangement, and empowered commissioners to treat of it.[1] The diplomatists of the two powers worked at it effectually, proving in the end as successful as their masters could desire.[2]

When in 1501 Prince Arthur of England was married to Catherine of Aragon, there was no longer anything in the event to disturb the equanimity of King James; and a few months later—the beginning of 1502—he was by treaty affianced to the Princess Margaret of England. Queen Isabella of Spain, when she was assured of this, wrote urgently to the Spanish ambassador, saying that King James was now one of the family, and should immediately be made a party to the league. Scotland joined England in a treaty with Spain, and Denmark was almost unexpectedly added to the alliance. Still it was but a partial success as yet. Henry of England could not be persuaded to make war on France, or even take up a fighting attitude. As to King James, he was not detached from the old

[1] Fœdera, xii. 572.

[2] The evidence for this episode in European diplomacy is scattered all over Mr Bergenroth's remarkable collection of Simancas state papers. In confirmation of the brief narrative here given, see pages 85, 91, 96, 98, 105, 106, 109, 111, 115, 124, 126, 133, 135, 140, 175, 190, 191.

league with France, and when practical difficulties arose, held by it, as we shall find. Thus Spain had accomplished but a portion of the task of consolidating a holy alliance; but it was the way of that power to consider its championship of the Church as something absolutely right, which destiny would in due time give effect to.

On the 8th of August 1502 the ceremony of marriage between King James and Margaret, Princess of England, was celebrated in the Chapel of Holyrood. A union of crowns and governments might be viewed as a possible result of such a marriage; but there had been others between Scotland and England whence none followed. It was long ere such a harvest of peace seemed likely to arise from this union—it seemed, indeed, to be so buried under events of a contrary tenor that it was almost forgotten; yet, a hundred and one years later, it sent the great-grandson of James IV. to be King of England.

In this reign the old difficulties with the Celtic districts in the west came up again, little modified by all that had been done to break the power of Donald of the Isles. In the usual historical language, the king determined, by vigorous efforts, to enforce the law in these districts, and repress the turbulence of the rebellious chiefs. The king, who was fond of travelling and of adventures, paid repeated visits to the far-stretching Mull of Cantyre, to the islands clustering farther west, and to the northern territories of Inverness-shire. He was eminently successful in these campaigns, as his predecessors had ever been. The time when an army, especially an army commanded by the king in person, was among them, was not that which the Highlanders and their leaders selected for inde-

pendent action. All was ready submission, except apparently on one point. By this time castle-building had made its way to the Highlands—a few of the Highland fortresses, indeed, such as Dunstaffnage, Swein, and Tarbet, were probably built late in the thirteenth or early in the fourteenth century. To these were added a few of the smaller strengths, such as the gentry were building all over the Lowlands. The prevailing type of fortress, however, appears to have been but an improvement on the hill-fort—dwellings built with wattles and mud, protected by mounds of stone or earth.[1] King James took some steps for leaving garrisons in the castles already built, and for building others. This was a policy pronounced by Parliament "ryght necessar for the daunting of the Isles."[2] It was of course for this very character, of garrisoning and internal ruling, both unwelcome and alarming, and therefore met with resistance.[3]

[1] Even the Castle of Inverness, a critical frontier fortress, seems to have been but of this kind until, in 1506, Huntly, who was appointed its governor, became bound, at his own cost, to raise there a hall of stone and lime upon vaults, with a slated roof, a kitchen, and a chapel. —Gregory's History of the Highlands and Isles, 105.

[2] Acts, 1503, ii. 240.

[3] My late accomplished friend, Donald Gregory, though he passed away before the period of full intellectual maturity, is the least credulous and discursive of those who relate the history of the period from the Highland side. He gives this account of the taking and garrisoning of Dunaverty, in Kintyre :—

"A great portion of Kintyre had been held, under the Lord of the Isles, by Sir Donald de Insulis, surnamed Balloch of Isla, prior to this resignation, which deprived Sir Donald and his family of a very valuable possession. Whether Sir John of Isla, the grandson and representative of Sir Donald, had, at the time he received knighthood, on the first visit of James IV. to the Isles, any hopes of the restoration of Kintyre, cannot now be ascertained. But it is certain that he was deeply offended at the step now taken, of placing a garrison in the Castle of Dunaverty; and he secretly collected his followers, determined to take the first oppor-

The plan of stationing garrisons at proper intervals over the Highlands and Islands would doubtless have solved the question of keeping their inhabitants in order, or rather in subjection. It was the plan adopted by Cromwell, who kept the district quieter than any other ruler from the days of Bruce to those of George II. It was virtually the plan of that reign on the suppression of the latest Jacobite insurrection, and at a later time still it was extended to Ireland in the shape of an armed police with stations or barracks. In the days of James IV., however, the crown could not afford the cost of such a system. For fighting men it depended on the feudal array, which might bring a large army for an occasion, but did not afford men for constant duty in garrison. Any force which the crown could establish in these regions was trifling, and other methods had to be tried for keeping rule.

The Government, insufficient in central power, had

tunity of expelling the royal garrison, and taking possession of the district of Kintyre. This opportunity was soon afforded to him. The king, not expecting opposition from this quarter, was preparing to quit Kintyre by sea with his own personal attendants—the bulk of his followers having previously been sent away on some other expedition—when the chief of Isla, finding everything favourable for his attempt, stormed the castle, and hung the governor from the wall in the sight of the king and his fleet. James, unable at the time to punish this daring rebel, took nevertheless such prompt measures for the vindication of his insulted authority, that ere long Sir John of Isla and four of his sons were apprehended in Isla by MacIan of Ardnamurchan, and brought to Edinburgh. Here they were found guilty of high treason, and executed accordingly on the Burrowmuir, their bodies being interred in the Church of St Anthony. Two surviving sons, who afterwards restored the fortunes of this family, fled to their Irish territory of the Glens, to escape the pursuit of MacIan. In the course of this year, likewise, two powerful chiefs, Roderick Macleod of the Lewis and John MacIan of Ardnamurchan, made their submission; and the activity displayed by the latter against the rebellious Islesmen soon procured him a large share of the royal favour."—Gregory's History of the Highlands and Isles, pp. 89, 90.

to lean on local influences. To a casual observer it would seem as if division was sown among the elements of the old dominion of the Lord of the Isles, and then that one clan or group of the divided elements was incited against another, so as to bring war and destruction. The shape which the policy of the crown took—or, it would be better to say, had to take—was to help well-affected powerful families who were helping themselves. By far the most valuable of these were houses which had a Lowland standing, while they were acquiring territory and influence in the Highlands. In this shape two houses come out so emphatically in the history of the Highlands, that they are not to be spoken of as prosperous families, adding acre unto acre, but rather as political dynasties, with a hereditary capacity for aggrandisement like the Hapsburgs or the Brandenburgs. It was this that made them infinitely valuable to the crown, and sometimes dangerous to it, while they were the scourges of the Highland septs that did not come into their alliance.

The heads of these houses were lords at Holyrood and chiefs in the Highlands. The greatest in the north was the Seton-Gordons, Lords of Huntly, whose rise has been mentioned.[1] Huntly was appointed Sheriff of Inverness, and his jurisdiction in this capacity extended northward over Ross and Caithness. It was, in fact, the old troublesome Maarmorate of Ross, which had been hardly less troublesome as an earldom, and was now handed over to a local magnate who was nominally a servant of the crown. It was an obligation on Huntly that he was to complete a fortress at

[1] P. 141.

Inverness, and support its garrison. This was the best that the crown could do to keep a military force at a very critical point, for Inverness was not deemed then, as now, the capital of the Highlands. It was a colony of trading Lowlanders, pushed close up to the Highland frontier. The burghers were thus tempted, by the special trade they drove, into the midst of dangers; but they selected a spot capable of defence, and separated, by waters not easily passed, from the nearest Highland neighbours. On the map of Scotland it will be found that Inverness is at the east end of a long cut or valley, containing a chain of lakes which separates a great portion of the Highlands from the rest of the country. The tourist knows it as the track of the Caledonian Canal. At its western extremity is Fort-William—the farthest, at that end, of a line of forts built to carry out the example set by Cromwell. At the eastern end of this natural line of defence Fort-George, on the Vauban system of fortification, represents King James's Castle of Inverness. It was to be supported by a fortress at the other end, corresponding with Fort-William; for, on the opposite side of the loch, at Inverlochy, the Earl of Huntly, in consideration of his high appointments, became bound to raise a tower and strength, with a barmekyn or barbican.[1]

The Government influence over the clans of the south-west fell to the house of Argyle, which had just obtained, by marriage, the district of Lorn—so important that we have on occasion found the Lord of Lorn spoken of as the Maor or chief ruler in these Celtic dominions. In the Lowlands the head of the house

[1] Gregory, 105.

was successively earl, marquis, and duke. About such titles his Celtic subjects would neither know nor care to know. They might be casually spoken of as the tinselly foreign decorations conferred upon their chief. To them he was something infinitely greater and more illustrious as Mac Callum Mohr—the son of Callum the Great—who had been the Charlemagne or King Arthur in their line of chiefs.

Perhaps the long-drawn-out results of this policy or necessity of the Government of Scotland will show that, could the Highlanders have been held down as a subject people by royal garrisons, it had been more merciful to themselves, and more conducive to the peace of the Lowlands and the safety of the Lowland people. The great mischief and difficulty lay in the two populations being in social conditions antagonistic with each other, and incapable of working together. The Lowlanders had taken over from the Normans the feudal system. It was not forced on them, as it had been on England, and was, as we have seen, pared of the regal and aristocratic prerogatives that made it so terrible to the Saxons. Its logic, however, was perhaps more closely worked out in Scotland than in England. There was a monarch, who was so far ultimate owner of all the soil, that every title to it, through however many gradations, superior and vassal, ended in his superiority over all; and this was coupled to the function which, in English phraseology, made the crown the fountain of honour. To the throne and to the feudal estates there was a system of hereditary succession, clear and indubitable as an exact science. Keeping together this organisation, there were the records of conveyancing, and of the proceedings of

Parliament and the courts of law, which preserved all rights of property, and kept them in working condition.

If an antithesis is wanted, it might be said that among the Celts, instead of the land nominally belonging to the head, it belonged, so far as there really was property in it, to the holders and cultivators of it, while their head or chief had concern, not with it, but with them, as living beings over whom he held absolute rule. A system or science of succession, by which a woman or a child might succeed and reign with as absolute certainty as a politic and hardy man, was a refinement of feudalism utterly out of their comprehension. With them the heir to any lapsed dignity or property was the strongest man near it. He might be the son—he was often the brother, when the son was too young to act. Above all, they detested the records and writings of the Saxon. The Lords of the Isles no doubt issued charters to professed vassals, but these were a sort of ostentatious flourish, like the imitations by Oriental princes of the forms of European courts. It is because records are lamentably wanting to aid Highland history that we know so little of its details, and can only see it in the mass from the Lowland side. Hence it is impossible to follow the most illustrious genealogies in this department of British history; and it sometimes seems that it is one family, sometimes another, that has the chief rule of the dominion, which, for want of a better name, is called the Lordship of the Isles.

We have already seen how the organisation for the administration of sovereign justice was nominally extended over these regions, and now Parliament, finding these to be in practice very defective, undertook the improvement of them. The Isles were divided into

sheriffdoms; and that extensive northern district over which Huntly was made supreme sheriff was divided into districts, where depute-sheriffs were to administer justice at Kingussie, Inverlochie, and Tain.[1] There are traces, at the same time, of an attempt to make the Highlander acquainted with those Lowland laws which he was required to obey—or, at all events, to give him legal advisers to direct his steps. There exists a gift of crown lands in the Isle of Skye in favour of a certain Kenneth Williamson, to enable him to study the laws of Scotland, so that he may afterwards take practice in the Isles.[2]

In 1492 there was a great raid on the mainland by the Islesmen; and as it swept over the northern mountain districts and spared the Lowlands, it is supposed that the object was not merely plunder but the recovery by conquest of the earldom of Ross. This gave an opportunity for an act on which the crown had not before ventured, however desirable it might be—the abolition of the separate lordship of the Isles by forfeiture. The natural result of this was that the chiefs or territorial potentates who held, or were presumed to hold, of the Lord of the Isles as their superior, should now hold of the crown—at least so far as charters and the phraseology of the king's chancery could make it be so.[3]

The most effective way of improving an ill-conditioned country has been by what is mildly called plantation. This is the manner in which the north of Ireland was at a later time improved. It implies, however, the cruel process of clearing off the inhabitants by driving them forth or putting them to death. A

[1] Gregory, 100-105; Act. Parl., ii. 249. [2] Gregory, 104. [3] Ibid., 88.

small attempt seems to have been made at this time towards such a clearing. Huntly and other commissioners were directed to drive out all "broken men" from certain forfeited estates, and let them for five years to tenants who should be "true men"—an opportunity which it would try the courage of the Lowland agriculturist of the day to seize. This term of "broken man" introduces us to a plan adopted by the Government, which shows that in some respects the laws and customs which the Saxon Lowlander deemed all-sufficient for both races had to accommodate themselves to the special nature of the Celt. The term "broken men" applied to those who had no chief to be responsible for them. It was becoming the practice to require the heads of clans to be answerable for the good conduct of their followers. In this reign, by an Act of Council, chiefs of clans were made responsible for the execution of legal writs against their vassals.[1] It was in vain that the law sought to lay personal responsibility on men so absolutely under the dominion of others, and therefore it required to go out of the common track, and reach the clansmen through a pressure on the chiefs to whom they gave their absolute allegiance. In the succession to estates, and dignities too, the Government sometimes found it necessary to countenance that departure from the hereditary line which carried the succession to the relation who had established the strongest political influence in the clan. When the feudal law of succession was rigidly enforced in such instances, it came to this, that one man held the parchments, but another held the territory and the allegiance of those who dwelt on it. We have seen

[1] Gregory, 91.

that in the succession to the lordship of the Isles itself the rule of legitimacy was suspended. We find Hugh, a younger brother, obtaining a royal charter in favour of his children by Finvola of Ardnamurchan, whether legitimate or illegitimate,—it was perhaps a doubtful marriage. Failing these the succession was to go to a son by any other woman, with the assent of those who formed the council of the Earl of Ross.[1]

The measures for the promotion of order in this district—or by whatever other name they may be justly called—were accompanied by many turbulent outbreaks, so closely contemporaneous with them, and so mixed up with them, that it is difficult to unravel the whole and say, between the Government and the Highlanders, on which side is the cause and on which the effect. It would appear that the compromise of 1476, by which the Lord of the Isles became a lord of Parliament, and gave up portions of his territory to the crown, created dissatisfaction. The disaffected were headed by Angus, the illegitimate son, who was to succeed to the honours; and if we are to accept of Highland history as true, there were bloody battles between the father's party and the son's. An infant of Angus—illegitimate like himself—named Donald Dhu, or the Black, was kidnapped and carried off to one of the strongholds of Argyle. Angus being dead, Alexander of Lochalsh, a sister's son of the father, took possession of the titles, holding them, as it was said, for his nephew Donald Dhu.

This Donald escaped and appeared among the Isles-

[1] "Quibus omnibus deficientibus, heredibus suis masculis post mortem præfatæ Fynvolæ, inter ipsum Hugonem et quamcunque aliam mulierem, de concilio dicti comitis," &c.—Wood's Douglas, ii. 11.

men in the year 1501, apparently a critical juncture in the reforming process of the Government. He was received as the true lord and king of the old Scandinavian sovereignty. Torquil Macleod of the Lewis, and the other chiefs, who might be called the nobles of the island sovereignty, rallied round his banner. Here was something substantial, not to be dealt with through Statutes or Acts of Council. There was a war of three years, conducted by the king himself, and Huntly as his lieutenant, ere the rebellion, as it was called, was suppressed and Donald Dhu taken a captive to Edinburgh.

The result of all this rather confused chapter in history was, that the lordship of the Isles as a separate state claiming independent sovereignty was broken up. However far the people and their chiefs were from assimilation with the rest of Scotland, there was no longer a centre of resistance. The Government, if it had to deal with unruly people, dealt with them in detail, and was aided by their quarrels among each other. The districts were exceedingly troublesome, but not politically formidable. There arose out of the dissolution of the old lordship two sets of clans, the one consisting of those whose ancestors had been subordinate to the Lord of the Isles, the other of those whose chiefs claimed direct descent from his house. The names of the clans claiming such descent, as arranged by the best authority on such matters, make a curious and characteristic list: they are, "The house of Lochalsh, the house of Sleat, the Clan Ian Vor of Isla and Kintyre, the Clan Ranald of Lochaber, the Siol Gorrie, the Clan Ranald of Garmoran, the Clan Ian Abrach of Glenco, the Clan Ian

of Ardnamurchan, and the Clan Allaster of Kintyre."[1]

Thus, after a long and tough struggle, there was an end of that separate Celtic state holding rule among the mountains and islands of the west—the last distinct relic of the Norse invasion and occupation. It is difficult to form a distinct notion of its origin and history from the shiftings in which it was involved. It was, as we have seen, before the Norsemen came, the peculiar district of the Scots and of their ruler; and when the race of Fergus moved eastward and took the name of Scotland with them, the territories first ruled by them in North Britain fell into the hands of another race, who strove to hold them as an independent power.

It was during this reign that there was the beginning of troubles on the borders, bearing in some of their features a resemblance to those with which this Highland district had so long afflicted the central government. A notice of the measures for enforcing the executive power in the border districts may be deferred till we find them coming to conclusive practical results in the next reign. The history of Scotland was unfortunately in the mean time to take its tone and character from the renewal of the quarrel with England. Presently, after the death of Henry VII. in 1509, the country felt that it had lost a peaceful neighbour. The passionate self-willedness of his successor soon becomes perceptible in disturbing influences, which there was not steadiness enough on the other side to repress. The earliest symptoms of dispeace between the two countries came from a new source—quarrels

[1] Gregory's Highlands, 59.

and captures at sea. These show us Scotland making effective progress as a naval power. To the making of such a power there go three things—a great sea-board, an enterprising population fond of the sea, and available wealth, or, as it is called, floating capital. Scotland eminently possessed the first qualification, and her people inherited enough of the old Norse blood to supply abundance of the second. The available means for building and outfit were sometimes taken by force, which was the way in which the Vikings got their capital, or from the proceeds of honest industry, sometimes from a mixture of both; and we may fairly take it to have so been in Scotland and the other active shipping districts at the time we speak of. King James took a deep personal interest in the progress of a shipping force, and felt great delight in visiting the building-yards and encouraging inventions and projects in shipbuilding. It was his ambition, as it has been that of others in later times, to create a ship that should be the wonder of the seas. It was completed after a world of anxiety and costly material and labour. It was, we are told, 240 feet long. The hull was ten feet thick of solid oak. Trials of cannonading were made on her sides as they now are on the ironclads, and such artillery as could be brought against her was ineffective.[1]

[1] The reader will have before him all that is known about this great achievement in naval architecture in the following picturesque account in the Pitscottie Chronicle:—"In the same year [1511], the king builded a great ship called the Michael, whilk was ane very monstrous great ship. For this ship took so mekil timber that she wasted all the woods in Fyfe except Falkland wood, by the timber that came out of Norway. For many of the shipwrights in Scotland wrought at her, and wrights of other countries had their device at her, and all wrought busily the space of an year at her. This ship was twelve score foots length; thirty-sax

It is probable that the Michael, like other ambitious structures, was beyond the seamanship of the age, and too large to be handled; for we hear of no historical career befitting the expectations from such a miracle of shipbuilding. The impulse given to naval architecture in Scotland is evidently due to peace having brought prosperity to a people naturally fitted for that form of enterprise. There were, however, external as well as internal conditions necessary for the nourishment of shipping and trade. Suppose a community to have every possible means and aptitude for becoming a great shipping state, if there is at hand a larger state with the same qualifications, which deals with its neighbour as an enemy ever to be attacked and injured, the shipping of the smaller will be swept from the sea, and all its efforts to grow into a naval power be blighted. So

foot within the walls. She was ten foot thick within the walls of cutted risles [ribs] of oak, so that no cannon could doe at her. She cumbered all Scotland to get her to the sea; and when she was committed to the sea and under sail, she was counted to the king to forty thousand pound of expenses by her orders and canons whilk she bare. She had three hundred mariners to govern her: six score gunners to use her artillery, and ane thousand men of war—by captains, skippers, and quartermasters. When this ship passed to the sea and was lying in the road, the king caused shot ane canon at her, to essay her if she was wight, but the canon deered [hurt] her not. And if any man believes that this ship was not as we have shown, let him pass to the place of Tullibardine, where he will find the breadth and length of her set with hawthorne. As for my author was Captain Wood, principal captain of her, and Robert Barton, who was master skipper. This ship lay still in the road, and the king took great pleasure every day to come down and see her, and would dine and sup in her sundry times, and by showing his lord her order and munition."—Pitscottie, 257, 258.

The author of the Statistical Account of the Parish of Blackford in Perthshire mentions that at Tullibardine "may be seen a few thorn-trees that may be viewed with a kind of antiquarian interest." Then, giving the outlines of the Pitscottie story, he concludes: "Only three of these trees now survive the ravages of time and the encroachments of the plough."—Stat. Ac. of Perthshire, 299.

it was in Scotland. The brief growth of a shipping power, mercantile and warlike, at the conclusion of the fifteenth century, is due to Scotland having become rich at a time when England was enfeebled and impoverished by the Wars of the Roses. When the greater nation recovered its strength, the expansive power of the smaller was checked. In the direction of navigation and foreign trade, Scotland was involved in a hopeless struggle with England down to the time when, under Cromwell's government, the nations were united with common encouragements and restraints. The contest broke out again at the Restoration, and its last incident was just before the incorporating union, when Scotland, in reprisal for injuries committed by England on her shipping, seized an English vessel in Scottish waters, and hanged the crew for piracy. All this makes every little item we can discover about the short prosperous progress of the Scottish shipping interest very significant, but it is unfortunately meagre.

The first great sea-captain was Sir Andrew Wood of Largo. Whatever had been his origin, he was a territorial baron, and, by a combination then rare, adorned his rank by the qualities of a practical seaman. Two great naval achievements are attributed by our own historians to Sir Andrew Wood. Finding the Scots seas infested by English pirates, with his own two favourite vessels, the Yellow Caravel and the Flower, he fought five of these, and brought them into the harbour of Leith.[1] This having roused the indignation of the English, a renowned commander named Stephen Bull was sent with a naval force to bring him in, dead

[1] Pitscottie, 240.

or alive; but, after a running fight from the Firth of Forth to the mouth of the Tay, this force also was conquered, and the English vessels brought in triumph into the harbour of Dundee.[1]

[1] Pitscottie, 240, 241. It is necessary to say that there appears to be no account of these victories on the English side, and all that English documents afford in their support is proof that there existed an English seaman named Stephen Bull. From the leading Scots chronicle of the period the following story of the fight is given, as far more expressive than any recapitulation of it in modern language can be :—

"Nevirtheles ane captane of warre, ane gentlman called Stephan Bull, took in hand to pas to the sea and fight with Sir Andro Wood, and bring him prisoner to the King of Ingland, either quick or dead; quhairat the King of Ingland was greattumlie rejoyest, and caused provyd the said captane thrie great schipis weill furnisched with men and artillarie. Efter this the captane past to the sea, and sailled quhill he cam to the Scottis Firth, that is to say, to the back of Inchmay, beyond the Bass, and tuik many of our boattis that war travelling for fisches, to win their living, and tuik manie of thame to give him knawledge quhair Sir Andro Wood was; quhill at the last, a little before the day breaking, upoun ane Sunday morning, ane of the Inglish schippes perceaved tua schipes cuming under saill by St Cobe's [Abb's] Head. Then the Inglisch captane caused sum of the Scottis prisoners pas to the topis of the schipes, that they might sie or spy if it was Sir Andro Wood or nought; bot the Scottismen dissemblit, and said they knew not who it was, quhill at the last the captane promeised thair ransum frie to tell the veritie if it was Captane Wood or not, quho certified him that it was he indead. Then the captane was verrie blyth, and gart fill the wyne, and drink about to all the skipperis and captanes that was under him, praying them to tak guid courage, for thair ennemies war at hand; for the quhilk caussis, he gart ordour his schipes in fear of warre, and sett the quartermaister and captanes, everie on in his awin rowme, and caused the gunneris to chairge and put all in ordour, lyk ane guid and stout captane.

"On the other syd, Sir Andro Wood cam pertlie fordward, knawing no impediment of enemies to be in his gaitt, quhill at the last he perceaved tua schipes cuming under saill, and making fast towardis them in fear of warre. Then Captane Wood sieing this, exhorted his men to battell, beseiking thame to be ferce against thair enemies, who had sworne and avowed to mak thame prisoneris to the King of Ingland; 'Bot will God, they sall fail of thair purpose. Thairfoir sett yourselffis in ordour, everie man to his awin rowme, and lat your gunes and crosbowis be readie. Bot above all, use the fireballis weill in the topis of the schipes, and let us keip our overloftis with tua-handit swordis, and everie guid fellow doe and remember on the weilfair of the realme, and

The naval powers of the day reciprocated the charge of piracy, and generally with much truth. Hence, though the services of Sir Andrew Wood are said, on the side of Scotland, to have been against pirates, it does not absolutely follow that they partook much more than he himself did of that character. The other great Scots sea-captain of the day, Andrew Barton, was charged with piracy on the side of England, and on that ground attacked in time of truce. He held letters

his awin honour; and weill God, for my awin pairt, I sall schow yow guid example.' So he caused perce the wyne, and everie man drank to other. Be this the sun begouth to ryse and schyne bright on the saillis, so the Inglisch schipes appeired verrie awfull in the sicht of the Scottis, be reasoun thair schipes war gritt and strong, and weill furnisched with great artillerie. Yitt the Scottis effeired nothing, bot kest thame underward on the Inglismen, who sieing that, schott tua great cannones at the Scottis, thinking that they should have strikin saill at thair boast. Bot the Scottismen, nothing effeired thairwith, cam stoutlie fordward upoun the wind syd upoun Captane Stevin Bull, and clipped fra hand, and fought thair fra the ryssing of the sune till the goeing doun of the same, in the long sommeris day, quhill all the men and women that dwelt neir the coast syd stood and beheld the fighting, quhilk was terrible to sie. Yitt notwithstanding the night severed thame that they war forced to depairt from otheris, quhill the morne that the day began to break and thair trumpettis blew on aither syd, and maid thame againe to the battell, who clipped and fought so cruellie, that nather skipperis nor marineris took head of thair schipes, but fightand still till the ebb tyd and south wind bure thame to Inchcap, forenent the mouth of Tay. The Scottismen sieand this, they tuik sick courage and hardiment that they doubled on the strokis of the Inglismen, and thair tuik Stevin Bull and his thrie schipis, and had thame up to the toune of Dundie, and thair remained till thair hurt men war cured and the dead buried; and thairefter tuik Stevan Bull, and had him to the kingis grace as a prisoner. And the king receaved him gladlie, and thanked Sir Andro Wood greatlie, and rewairded him richlie for his labours and great proof of his manhead, and thairefter propined the English captain richly, and all his men, and send thame all saflie hame, thair schipes and all thair furnisching, becaus they had schowin themselffis so stout and hardie warrioures. So he sent thame all back to the King of Ingland, to lett him understand that he had als manlie men in Scotland as he had in Ingland; thairfoir desired him to send no moe of his captanes in tyme cuming."—Pitscottie, 241, 242.

of marque against Portugal and some other foreign states; and it was said that he did not take sufficient care to distinguish English vessels from those against which he was authorised to cruise. An expedition against him was fitted out under the two sons of the Earl of Surrey—Lord Thomas and Sir Edward Howard. They fought in the Downs, two ships on either side.[1] The English gained the battle, and Barton was killed. The Scots victories of Wood belong to the beginning of James IV.'s reign. This reverse, which did not hinder the country from esteeming Barton as even a greater commander at sea, occurred in 1512; and we may easily believe that there had been many irritating incidents at sea throughout the interval in which Wood and the Bartons gained their renown as practical seamen.

But Scotland was not to escape the calamity common to all feudal states, that if the navy became a powerful and conspicuous arm of the state, the command of it must belong to the feudal aristocracy. The social position which commands obedience goes a great way in making a military commander, and was of course more influential then than it is now. There could be no command over vessels, however, without the technical acquirements of the sailor. Then every well-born youth was trained more or less to land war; and if a general were selected solely for his feudal rank, he was a soldier, though he might be a poor one. Selecting such a person for a sea-captain was, however, certain ruin. Yet when, in the next war with England, a mighty effort was made, and the greatest navy Scotland ever saw was put to sea, the command fell to

[1] The chief authority for the particulars of this affair seems to be Bishop Leslie—Scots version, p. 82.

the Earl of Arran. There were in all thirteen great vessels, including that wonder of the world the Michael. It is said that the mistake was speedily discovered, and that Sir Andrew Wood was commissioned to supersede Arran, but he could not find the fleet. In the confusions that follow, indeed, it mysteriously disappears from history. Some traces show that it sailed to France; and it is supposed that in the course of negotiations, the record of which has been lost, the Scots Government, in its subsequent depression, disposed of the vessels to the Government of France. We know, at all events, that the great Michael was sold by the Duke of Albany to the French Government by a solemn contract, in which the price of the vessel, and her arms and outfit, was to be forty thousand francs tournois.[1]

When redress was sought from the English Government for the capture of Barton's vessels, the answer was that they were pirate ships, and it was the duty of every civilised government to suppress piracy. Other disputes arose, among which was one that had a rather sordid aspect as an element in a national quarrel. King James demanded money and jewels, which his wife, the queen, should have inherited from her father, and became an importunate creditor; while King Henry held the still less dignified position of a reluctant debtor. Scotland, however, was arming, and to this end the money was needed. But what rendered it desirable to the one king gave the other a motive to retain it. The readjustment of the general European relations, however, was the most serious cause of dis-

[1] Epistolæ Regium Scotorum, i. 214. "Quemadmodum magnam navim nostram quam vulgo Michaelem appellant."

agreement. Henry was going to war with France, and Scotland was to hold by her ancient ally. King Henry, more easily moved to fight for the league than his father was, had sent one army to France, and was going himself with another; while Ferdinand, the soul of the league, had a great force ready in Spain. France, since the expulsion of the English, had never felt more need of co-operation from Scotland in the approved shape of sending an army into England. The old alliance was pressed with new and valuable advantages to Scotland. Hitherto Scotsmen had readily obtained the privilege of naturalisation, or admission to the privilege of natural-born Frenchmen. On a renewal of the alliance, general letters of naturalisation were to be issued, by which every Scotsman became virtually a citizen of France. The distinction thus conferred on Scotland was the more conspicuous, that France was of old remarkable for the churlishness with which foreigners were excluded from the protection of her law by the inhospitable *droit d'Aubaine*. It was just at the time when Scotland was paying the fatal price of this friendship that the arrangements for conferring the new privilege on all natives of the country were formally completed.

An accomplished and ambitious priest, named Andrew Forman, who afterwards became Archbishop of St Andrews, acted as ambassador from Scotland, both in England and France. He did his best to forward the strife with England. There is on record a powerful testimony to his success. Between the Pope and his supporters on one side, and the King of France on the other, there was an ecclesiastical contest about the appointment of an Archbishop of Bourges. In the

end the candidate favoured by King Louis was successful. This candidate was Forman; and the ground on which King Louis demanded the support of the chapter was the signal service Forman had done to France by bringing about an invasion of England by the King of Scots.[1] With these, the ordinary political causes of quarrels among nations, came another, which one cannot understand without throwing himself back into the chivalrous religion of the times. Queen Anne of France sent to King James a letter appointing him her chosen knight. She was a lady in dolorous plight, with the enemy at her door; and as her bounden champion she laid it on him to march for her sake three feet into English ground. We are told that this appeal was accompanied by fifteen thousand French crowns—an acceptable gift at that juncture, but small payment for the sacrifice demanded.[2]

At length King James issued summonses to the feudal force all over the land to gather at the Boroughmuir of Edinburgh—the ground now covered by the suburb of Morningside. It is hardly possible to believe what the chroniclers tell us, that a hundred thousand men in fighting condition assembled there, knowing, as we do, that the cause in which they met was not popular. All contemporary testimonies to the passing events enlarge eloquently on the persuasives and influence borne in upon the king to turn him from his unhappy purpose, but all in vain. Stories were afterwards remembered of portents and prophecies—stories which perhaps took their colour from the gloomy events which they professed to have foreshadowed. A

[1] See this affair at greater detail in the Author's Scot Abroad, i. 137.
[2] Pitscottie, 203.

visionary seer appeared before him, while he was at his devotions in the church of Linlithgow, who, after a solemn warning to him to desist from his purpose and abjure the counsel of women, vanished into the world of spirits, whence he had come.[1]

At the Market Cross of Edinburgh, at dead of night, a herald from the other world, after the form and fashion in which the assemblages of the king's host were proclaimed, summoned by name a muster-roll of the Scottish gentry to appear before his master in the other world; and it was afterwards said that the names so called over were all names of persons who fell in the battle that followed, save one who heard

[1] The spirit of such a story is best understood in the words in which it is chronicled:—

"Att this tyme the king came to Lithgow, quhair he was at the counsall verrie sad and dollorous, makand his prayeris to God to send him ane guid succes in his voyage. And thair cam a man clad in ane blew gowne, belted about him with ane roll of lining, and ane pair of brottikines on his feitt, and all other thingis conforme thairto. Bot he had nothing on his head, bot syd hair to his schoulderis, and bald befoir. He seemed to be ane man of fiftie yeirs, and cam fast forwardis, crying among the lordis, and speciallie for the king, saying, that he desired to speak with him, quhilk at the last he came to the dask quhair the king was at his prayeris. Bot when he saw the king he gave him no due reverence nor salutatioun, but leined him doun gruflingis upoun the dask and said, 'Sir king, my mother has sent me to the, desiring the not to goe quhair thow art purposed, quhilk if thow doe, thow sall not fair weill in thy jorney, nor non that is with the. Fardder, shoe forbad the not to mell nor use the counsell of women, quhilk if thow doe thow wilbe confoundit and brought to shame.' Be this man had spokin thir wordis to the king, the evin song was neir done, and the king paused on thir wordis, studieing to give him ane answer. Bot in the meane tyme, befoir the kingis eyis, and in presence of the wholl lordis that war about him for the tyme, this man evanisched away and could be no more seine. I heard Sir David Lindsay, lyon herald, and Johne Inglis, the marchall, who war at that tyme young men, and speciall servandis to the kingis, thought to have takin this man, that they might have speired farther tydingis at him, bot they could not touch him."—Pitscottie, i. 264, 265.

the proclamation, and refused on the spot to give obedience to it.[1]

The army entered England in August 1513, and encamped in the neighbourhood of the Till and Tweed. The opportunity was taken to pass an Act for dispensing with the usual feudal taxes on succession in favour of the heirs of those who might be slain in the war—it was common to pass such measures after, but not before a great battle.[2] The Castle of Norham was attacked and easily taken, strong as it was, by such a force, plentifully supported with artillery; and the small Castle of Werk followed. These were poor achievements for a great army; but the next, which was the siege of the castle or fortified house of Ford, was followed by heavy charges against the king. It is said

[1] "Thair was ane cry heard at the market croce of Edinburgh, about midnight, proclameand, as it had beine ane summondis, quilkis was called be the proclaimer thairof the summondis of Platcok, desiring all earles, lordis, barrones, gentlemen, and sundrie burgess within the toun, to compeir befoir his maister within fourtie dayes, quhair it sould happin him to be for the tyme, under the pain of disobedience; and so many as war called war designed be thair awin names. But whidder this summondis was proclaimed be vaine persones, nicht walkeris, for thair pastyme, or if it was ane spirit, I cannot tell. But on indweller in the toun, called Mr Richard Lawsoun, being evill dispossed, ganging in his gallrie, start fornent the croce, hearing this voyce, thought marvell quhat it should be; so he cryed for his servand to bring him his purs, and tuik ane croun and kest it over the stair, saying, 'I, for my pairt, appeallis from your summondis and judgment, and takis me to the mercie of God.' Verrilie, he quho caused me chronicle this was ane sufficient landit gentleman, who was in the toun in the meane tyme, and was then twenty yeires of aige; and he swore efter the feild thair was not ane man that was called at that tyme that escaped except that on man that appailled from thair judgmentis."—Pitscottie, i. 266, 267.

[2] This is peculiar as an Act of the Scots Parliament passed on English ground: "At Twesilhauch, in Northumbirland, the 24 day of August, the year of God MDXIII., it is statut and ordanit be the king's hienes, with avise of al his lords being thare for the tyme in his host."—Act. Parl., ii. 278.

that, fascinated by the attractions of the Lady Ford, he forgot the heavy responsibilities of the leader of a large army, and wasted several days in dalliance. The Scots chronicles describe the character and conduct of the lady with a blunt coarseness that leaves nothing to imagination or suspicion; and if what they thus say be true, it is easy to believe the further charge that she carried to Surrey, the English commander, all the information she got by intercourse with her new admirer.

Meanwhile provisions began to run short. Such an army carried no regular commissariat with it. The feudal array, as they were obliged to attend the host for a given period, had also to find their own provisions. The region they were in was barren, and the hostile army gathering on English ground would have defeated the old resource of sending plundering parties southwards. The Scots thus scattered in multitudes to fetch provisions from their own distant homes. Many of them did not return. Thus the great host decreased, but it is reported to have still numbered some fifty thousand. With these the king took up a strong position on the crest of Flodden, a gentle rising ground strengthened by the river Till, a deep stream with high broken banks. With Surrey challenge and acceptance had been exchanged, after the fashion rather of the arrangement of a passage at arms, where all advantages are abandoned, than the preparation for a battle. Surrey sent a herald to remonstrate against the position taken up, as being "more like a fortress or camp" than the "indifferent ground" on which a fair battle could be waged.[1] The herald who brought this got no access to the king, so

[1] Ellis's Letters, i. 86.

that Surrey had to take his place and tempt the king to leave his advantage. Descending by the right bank of the Till he reached Twisel Bridge, and there, by a tedious process, brought over his army in a narrow file, a portion, it is said, getting over by an adjoining ford. The standing reproach against King James is that, as a general, he did not bring his army down by the left bank of the river, and attack the English before they had all crossed and formed on his own side.

He would then have repeated—and probably with like success—the tactic of Wallace at Stirling Bridge, but the objects of the two commanders were quite different. Wallace's was to save his country by destroying an invading army; King James wanted a stand-up fight, that he might display his prowess—the one was in earnest, the other, it may be said, in sport. Hence he flung back with scorn the advice of Angus and the other veterans, whose aim had ever been in the old wars to make the most of the opportunity. It is said that Borthwick, the commander of the artillery, besought leave to cannonade the bridge while the English passed, but only got a peremptory refusal. Here, however, it must be remembered that Twisel Bridge is in a straight line at least four miles distant, and probably by any practicable road was six miles distant from the eminence of Flodden; and if the army did not move down in force it might not have been easy to protect artillery within range of the English army.

Surrey formed his order of battle on the plain called Brankstone, and the Scots descended to meet him there, whence in the English despatches the battle of Flodden, as it came afterwards to be named, is called the battle of Brankstone. The English are described as ranged

in two battles or squadrons, subdivided so as to make virtually four, while the Scots were divided into five.[1]

The fighting began at four o'clock in the afternoon of the 9th of September. There was in this battle no one conspicuous false tactic giving emphasis to the result, like the rash charge of the cavalry at Bannockburn, or the array of archers at Halidon. It was sheer hard fighting on both sides, with a general equality, but there were circumstances which made it in the end tell heavily against the Scots. For the first time, at least in later warfare, a Highland force fought along with a Lowland, and probably was not handled according to the right method of dealing with such a force, the function of which is not steady, like that of the Lowland spearmen and axemen, but the rapid rush, and immediate retreat if this is ineffective. The rush was beaten back by the heavy columns of the English, and in its retreat brought confusion among the Scots. King James had with him a fine park of artillery, with some guns of calibre unprecedented; but they seem to have been too heavy to be worked by the engineering skill of the day, leaving the English bow as the deadlier weapon. The commander of the Scots artillery, indeed, was killed at the beginning of the battle. The great misfortune, however, was that the Scots were led by a champion bent on feats of personal prowess rather than by a general. The king was in front fighting with his own hand, thus signally justifying what the Spanish ambassador had said of him. With the true spirit of the soldier, the flower of the army gathered round him and took their share in the result of his

[1] Despatch preserved in Heralds' College, and printed, Pinkerton, ii. 456; Calendars of State Papers.

lamentable blunder. Thus the chief gentry of Scotland were gathered into a cluster for slaughter. Leaders were drawn from their posts, and their followers, left to themselves, were broken and dispersed. Ten thousand of the Scots were reported to the English Court as killed. The king himself fell close to the English commander, to whom he seems to have been fighting his way in the hope of a personal combat. His body was conveyed to Berwick, and thence to London.[1]

From other battles Scotland has suffered more unhappy political results, but this was the most disastrous of all in immediate loss. As a calamity rather than a disgrace, it has ever been spoken of with a mournful pride for the unavailing devotedness which it called out. The soldier has ever one alternative for the pro-

[1] Much has been said about the discourteous usage to which the body of the Scots king was subjected by his brother-in-law. It appears that a Papal interdict against his taking arms was issued, but had not reached him. It disqualified his body, however, according to the technicalities of ecclesiastical law, for Christian burial. It has been said, however, that even when the Pope removed the impediment, and expressly desired that the body might be laid in St Paul's Cathedral, it remained unburied. (See apostolic letter from Pope Leo X., printed in Theiner 'Vetera Monumenta,' 511.) Stow tells the following odd story in his Survey of London, p. 459:—"After the battle, the bodie of the same king being found, was closed in lead, and conveyed from thence to London, and to the monasterie of Shene, in Surry, where it remained for a time, in what order I am not certaine; but since the dissolution of that house, in the reygne of Edward the Sixt, Henry Gray, Duke of Suffolke, being lodged, and keeping house there, I have been showed the same bodie so lapped in lead, close to the head and bodie, throwne into a waste room amongst the old timber, lead, and other rubble. Since the which time, workmen there, for their foolish pleasure, hewed off his head; and Lancelot Young, master glazier to Queen Elizabeth, feelinge a sweet savour to come from thence, and seeing this same dried from all moisture, and yet the form remaining, with the haire of the head and beard red, brought it to London, to his house, in Wood Street, where, for a time, he kept it for its sweetness, but in the end caused the sexton of that church to bury it amongst other bones taken out of their charnell."

tection of his honour amidst the direst disaster—death on the field; and this alternative was cheerfully chosen. It was reported to the Court of England that of the Scots army but one man of note—the Lord Home—remained alive; and long afterwards it was said that you could not point to a worshipful family in Scotland that did not own a grave on Brankstone Moor.[1]

Fame deals generously with those whose end is such; and in discussing the conduct of the king himself people thought of the bravery with which he met his fate, in hand-to-hand fighting like a common trooper, rather than of the desolation brought upon

[1] A late genealogical antiquary, who probably knew more Scotch family secrets than any other man that ever lived, has said—"The more I look into any Scottish charter-chest, the more I am sensibly struck; almost every distinguished Scottish family having then been prematurely deprived of an ancestor or member."—Riddell, Peerage and Consistorial Law, 1001.

Sir David Lindsay says, in his Complaint of the Papingo :—

> "I never read in tragedy nor story,
> At ane tournay so mony nobillis slane
> For the defence and luve of their soveraine."

Among many mournful allusions to the calamity in Scots literature, the tone of national feeling regarding it was aptly put in an epigram by the poet John Johnson, in his Heroes Scoti :—

> "Magnanimi heroes—vobis hanc ponimus aram
> Hæc cum luctificis tristia signa notis;
> Flent matros raptos natos, natique parentes;
> Frater, et in fratris funere multa gemit."
> —Deliciæ Poetarum Scotorum, i. 691.

The many versions of the old ballad of the Flowers of the Forest have long been associated in popular tradition with this calamity.—See 'Illustrations of the Lyric Poetry and Music of Scotland,' by William Stenhouse, p. 66.

The earliest of Scottish printers, Walter Chepman, endowed in 1528 a mortuary chapel in the Church of St Giles in Edinburgh, where prayers were to be offered up for the repose of the souls of the king, the nobles, and the faithful subjects who were slain at Flodden.—Laing's edition of Dunbar's Poems, supplement, 295.

the land by his headstrong folly.[1] He was one who pleased the world and bought golden opinions from it, diverting censure from his failings, which were many and flagrant. He was a libertine, and that in a form which was likely to set the fashion in that direction—one of the direst mischiefs which a king can do to a people; for however self-willed they may be and disinclined to submission, a sovereign can always make himself the absolute lord of fashion. The same failings in his father were dealt with severely and scornfully, and a favourite mistress was bandied among the people by the contemptuous name of the "Daisy." This was the result of the sordid and unroyal ways of that king. The son's mistresses are seen in succession passing in splendour before an admiring people. At the beginning of his reign, while he is yet but a boy, his mistress, Lady Margaret Drummond, comes on the stage conspicuous in her grandeur, to become still more conspicuous in her fate; for she and her sister died together at Drummond Castle, so suddenly and in such manner as to convince all that poison had been at work. But who did the deed, and

[1] Hall, the English chronicler, says: "O what a noble and trumphant courage was thys, for a kynge to fyghte in a battayl as a meane souldier! But what avayled his strong harnes, the puyssance of hys mightye champions, with whome he descended the hyll, in whom he so muche trusted, that with hys strong people and great number of men, he was able, as he thought, to have vanquished that day the greatest prynce of the world, if he had ben there as the Earl of Surry was, or els he thought to do such an hygh enterprice hymselfe in his person, that shoulde surmount the enterprises of all other princes. But howsoever it happened, God gave the stroke, and he was no more regarded than a poore souldier, for al went one waye. So that of his owne battaill none escaped, but Syr William Scot, knyght, his chauncelour, and Syr Jhon Forman, knight, his servaient porter, whiche were taken prisoners, and wyth great difficultie saved. This may be a great myrror to all princes, how that they adventure themselfes in such a battaill."—Hall's Chronicles (1809), 562.

what was the motive of it, are unanswered questions; and even the rumours and suspicions that flitted about at the time have been long buried. He had fits of ardent and abject devotion, and when they came on it was supposed that his conscience was troubled by his conduct to his father. His memory was commended to his people by pleasant eccentricities, which have been often told, but cannot be so well rendered as in the words of the chronicler who first described them. "In this meane time was guid peace and rest in Scotland, and great love betuixt the king and his subjectis, and was weill loved be thame all; for he was verrie noble, and though the vyce of covetousness range over meikle in his father, it rang not in himselfe; nor yitt pykthankis nor cowards should be authorised in his companie, nor yitt advanced, neither used he the counsall bot of his lordis, quhairby he wan the heartis of the wholl nobilitie; so that he would ride out through any part of the realme him alone, unknawin that he was king; and would ligge in pure mens houssis, as he had beine ane travellour through the countrie, and would requyre of thame whair he ludged, whair the king was, and what ane man he was, and how he used himselff towards his subjects, and what they spoke of him throw the countrie. And they would answeir him as they thought guid, so be thir doeing the king hard the commoun brute of himselff. This prince was wondrous hardie, and diligent in executioun of justice, and loved nothing so weill as able men and horsis: thairfoir at sundrie tymes he would caus mak proclamatiounes through the land, to all and sundrie his lordes and barrones, who war able for justing and turney, to cum to Edinburgh to him, and thair to ex-

ercise thamselffis for his pleasour; sum to rune with the speare, sum to fight with the battle-aix, sum with the two-handit sword, and sum with the hand-bow and uther exercises, etc. Whosoevir fought best got his adversaries weapon delyvered to him be the king, and he who ran best with the speare, got ane speare headed with puir gold delyvered to him, to keip in memorie of his pratick thairintill. By this meanes the king brought the realme to great manhead and honouris; that the fame of his justing and turney spread throw all Europe, whilk caused many errand knyghtis cum out of uther pairtes to Scotland, to seik justing, becaus they hard of the kinglie fame of the prince of Scotland. Bot few or none of thame passed away vnmached—and oftymes overthrowne." [1]

[1] Pitscottie, i. 245, 246.

CHAPTER XXXI.

James V.

EFFECTS OF THE BATTLE OF FLODDEN — PRECAUTIONS — A THIN PARLIAMENT — THE FRENCH ALLIANCE — DOINGS OF THE QUEEN MOTHER — HER MARRIAGE TO ANGUS — ALBANY SENT FOR — HE COMES AND ACTS AS REGENT — HIS INCOMPATIBILITY WITH SCOTLAND — GOES BACK TO FRANCE — SLAUGHTER OF DE LA BASTIE, LEFT BY HIM IN AUTHORITY — INEFFECTUAL ANGER OF FRANCE — STATE OF THE COUNTRY — FAMILY FEUDS — NEW RISE OF A DOUGLAS POWER IN ANGUS — BATTLE OF CLEANSE THE CAUSEWAY — ALBANY'S RETURN — SUSPICIONS OF HIM — PRESSURE OF ENGLAND — AN ARMY SENT TO THE BORDER — ALBANY GOES BACK TO FRANCE — BORDER WARFARE — CARDINAL WOLSEY AND HIS SCOTS INTRIGUES — THE FRENCH PARTY AND BEATON — WOLSEY'S PROJECTS FOR KIDNAPPING BEATON — BEATON'S IMPRISONMENT, AND THE SPECULATIONS ABOUT IT — PROJECTS FOR GETTING RID OF ALBANY — THE "ERECTION" OF THE KING — THE REVOLUTION IT EFFECTS.

We have no record of any other event creating through Scotland so much fear and grief as this battle. Its specialty, was that among its dead was not only the king, but the natural leaders in all parts of the country. The peerage passed almost collectively into a new generation, for twelve earls and thirteen lords of Parliament were among the dead. The nation, like the army, felt the helplessness of being leaderless, and a powerful enemy was close at hand. An attack on Edinburgh was immediately expected; but when the

natural protectors of the city were looked for they were all gone—the provost and his fellow-magistrates were among the dead. Yet from those who took municipal charge a spirited proclamation was issued, calling on all able-bodied men to remain under arms, and prohibiting the wailing of women and confusion on the streets. It was in this time of anxiety that a resolution was taken to surround Edinburgh with a wall, like the Continental towns. The wall was built accordingly. Some fragments of it may yet be seen near Heriot's Hospital and the Infirmary. Any one who looks at this fragment will recognise what later history tells, the utter futility of such a defence against modern artillery, or even that of the seventeenth century. It was deemed a mighty work in its day, however, and gave a feeling of security to the capital. This wall has had a great influence on the architectural character of Edinburgh. It forced on the citizens the necessity felt in Continental walled towns of building house upon house. As the town was limited in its lateral expansion, it stretched upwards.

The danger against which the country was roused—a danger felt as imminent by the city of Edinburgh—passed over in the mean time; Surrey's army dispersed instead of advancing. One cause of this was insufficiency of provisions; but we may also conclude that the immediate advantages of the victory would not have been thus dropped had it not been that the loss suffered by the English army was not by any means so trifling as it was represented to be in the despatches to London.

A Parliament immediately assembled, and a thin house, in which old experienced counsellors were represented by their offspring, emphatically reminded those

who were present of the country's loss. It was necessary to appoint a regent, and a guardian to the young prince. It was considered becoming at once to name the queen to these trusts, but this does not appear to have been done with an expectation that the arrangement would be permanent and satisfactory. None could tell what influence it might have on her dangerous and capricious brother—whether it would induce him to foster and protect the country ruled by his sister, or would afford him opportunities for scheming against the national independence. There was a good deal, too, in the queen's own character to check reliance. She gave, indeed, unequivocal evidence that she was of the same blood as her brother, and especially in an incapacity to remain long in widowhood. In April 1514 she bore a posthumous child. In August of the same year she married the young Earl of Angus. Since she would marry if she could, she probably made the best selection open to her. She found that she would not be permitted to leave the country, and must therefore content herself with one of the subjects of Scotland. Of these Angus was the most powerful, and, what was more to her purpose, he was young and handsome—a new heir, for his father had been killed at Flodden. In the union of the representative of the Baliols with a daughter of England, it is hard to say what results might have been anticipated as possible or likely: perhaps that which did come of the union was the least anticipated. The descendants of this marriage in the male line were kings of England and Scotland, but not by descent from Baliol; the grandson of the Earl of Angus was Henry Lord Darnley, the father of James I. of England.

Meanwhile the Estates looked for help in their difficulties to a branch of the royal family settled abroad. We have seen how the Duke of Albany, the younger brother of James III., retired to France. The precedents of his exile were not creditable, but they did not deprive him of the countenance of Louis XI. While many Scotsmen of the higher and middle ranks rose to a wealth and eminence in France, far beyond what their own country had it in its power to offer to them, a due precedence was given to the blood royal; and the fortunes of the house of Albany were built up on a scale that was truly princely, even in the magnificent France of that day. The son of the original exile was now Admiral of France, held great territories there, and kept something like a court of his own. At the meeting of the Estates, immediately after the calamity, it was resolved that he should be requested to come to Scotland, and gradually the views concerning him ripened into the opinion that he was the proper person to act as Regent.

The difficulties and perplexities of the times bore heavily on all who took at that time the responsibility of action. There was, in the first place, the utter uncertainty as to what the country might expect from England. But on the other hand, the relations with France foreboded trouble. The tone of the communications from that Court was passing from diplomacy into something like patronage. Immediately after the battle of Flodden, an appeal had been made to France for assistance to Scotland in her hour of terrible need. It was a critical period, however, for France in her Italian war. Francis I., who began his popular reign in 1515, was competing with Charles V.

for the empire; and it was convenient for him to cultivate England, though that power had no direct vote in the election. The connection of France and England became close for a time—Charles VIII. was married to Henry's young sister, and a treaty of peace was concluded. The king survived it and his marriage but a few months, but the peace was ratified by his successor, Francis. This peace was distasteful to the Scots. They thought they could see in its details that the French not only acted towards them the part of the patron and superior, but of the correcting and censuring patron. Francis had, without much, if any, formal consultation with the Scots Government, brought Scotland into the treaty as a subsidiary party; yet Scotland was to have this privilege only conditionally on good behaviour: she must abandon the border inroads. The particulars of the stipulation were, that if any inroads on England were made under constituted authority, such as that of the Government or the warden, Scotland's hold on the treaty was forfeited. There was the same result if at any time a force three hundred strong, however commanded, ran a raid into England, unless the Government of Scotland made compensation for damage done. There were no like stipulations for the protection of the Scots side of the border.[1] Their late calamity made the Scots peculiarly sensitive to such a slight; but the French Government was apologetic—represented that a peace with England was then of vital importance, but expressed great anxiety to keep up the ancient league with Scotland.[2] In a few expressions of mournful reproach, the Scots Estates said the country was still

[1] Fœdera, xiii. 419, 482.

[2] Teulet, Pap. d'Etat, No. 1.

strong enough to hold its own, and needed not the help of France, unless it were given with courtesy and respect. At the same time, the country was unwilling to seem contumacious to its old friend and ally, and admitted the soundness of the argument that Christians should seek peace with each other and combine against the encroaching Turk.[1]

In the midst of these things, on the 18th of May 1515, the Duke of Albany arrived at Dumbarton. He was escorted by a brilliant little fleet—an apt body-guard for the Lord High Admiral of France. He brought with him a band of gay French companions, who were absolutely necessary to make his exile endurable. There was nothing congenial to him and the men he had to deal with in governing Scotland. Had the country, instead of one of their own family, selected a governor from the house of Braganza or of Valois, they could not well have found one so utterly exotic to everything national. It was not only that the habits and manners to which he had been trained were splendid and luxurious, while the Scots lived penuriously and hardily. The forms of ruling to which he had been accustomed were utterly at variance with those tolerated in Scotland; he came, in fact, with the notions of the European despotisms, to govern about the least tameable community in the world.

The little French court he brought with him was not very acceptable among a people shy and proud by nature, and rendered sullen by recent calamity. If there were to be a thought of reciprocity for the brilliant fortunes made by Scotsmen in France, the

[1] Fœdera, xiii. 509.

followers of Albany should have been welcomed and promoted. We have seen how a Douglas got the province of Touraine. His companion, Buchan, was made High Constable—the office next in rank to the blood royal. A dukedom afterwards fell to the house of Hamilton; and the Scots who held high offices in the army, the church, the bench, and the universities, were countless. But communities act according to their nature, and the one cannot reciprocate in the form natural to the other. No people in a sound and healthy condition submits to be governed by strangers, and the Scots adventurers supplied an element that was wanting to the healthy development of the French community. These Scots adventurers had a wonderful capacity for assimilating themselves to the people and the conditions surrounding them, but their fellow-countrymen at home did not take with like geniality to strangers. The luxurious appointments and the courtly polish of the visitors jarred with the homely living and insular reserve of the Scots. It was not now as it had been in the days when the Normans flocked to the court. However the small landowners and free burgesses might dread their rule as it was exercised in England, they set the fashion at court, and were cultivated and imitated by all who were ambitious of social distinction. The long struggle for national life had settled a more isolated and perhaps suspicious character on the people, high and low. They had been accustomed to trust to themselves, and had an aversion to foreigners, even to those who came as friends. We have seen this feeling coming forth in an unamiable aspect when the Admiral de Vienne brought an auxiliary force to Scotland: and now

here was another admiral of France, who, though he bore the old national title of Albany or Albin, was in nowise more of a Scotsman or less of a Frenchman than the other.

Still, he was called over in the hour of need by the party predominant in power, and they resolved to support him in all proper authority, only taking jealous care that none of it should pass into the hands of his French followers. The immediate measures of the new regency indicated what is called "a strong government." It was necessary that the royal children should be taken from their mother and her new husband. Commissioners were appointed by the governor and the Estates to receive them from her in the Castle of Edinburgh. She showed them to the commissioners, with the bars of the portcullis between them and the family group, and told them she was to hold the castle in defiance of them. She carried the children off to Stirling, having some reason to believe that she had a better chance of holding out in that fortress; but a besieging force was sent against it so strong, that she saw the necessity of yielding—and the king and his infant brother were disposed of according to the will of Parliament.

The quarrels throughout the country at that time were countless. There was a general tendency in the combatants to range themselves on two sides—that of the Douglases or Angus on the one, and that of the Hamiltons, who were now almost becoming rivals to them in power, on the other. But separate disputes, ever seeking a deadly issue, ramified in all directions from this central contest, and filled the country with slaughter. The governor set himself to remedy all by

direct force, as he had seen turbulence put down in France. As Pitscottie remarks, he knew not the nature and qualities of the people, "and how Scotsmen cannot bide extreme judgment nor justice;" so that, not finding himself supported to his mind, he sent to France for assistance. Three ships arrived on the west coast with some supplies, and a body of men who would give more ready obedience to his orders than the Scots. This almost created a decided insurrection.[1] A large body of those who followed the banner of Angus assembled in the west. Albany brought such a force against them that resistance was hopeless. We are told, however, that before they dispersed they conditioned for immunity.[2] Albany, however, was trained in a school where statesmen learned to deal very easily with such conditions. Angus was seized and spirited off to France. He was kept in restraint, "scarcely knowing what place of the world he was in." The queen, his wife, managed to make her escape to England, where she bore a daughter; and it was believed afterwards to be in favour of the adjustment of her descendants' succession to the crown of England that the daughter happened to be born there. Her husband escaped from France and joined her. The Douglases, who, from an internal power of vitality, ever grew up in renewed strength, even when they seemed to be extinguished, conducted themselves as a sort of independent power, and were wont to give no more allegiance than suited themselves to the King of Scots. So King Henry had in his sister's husband a person who might be put to use for humbling or injuring Scotland.

[1] Pitscottie, 297.

[2] Pitscottie, 301.

On others influential in the western rising the regent determined to strike a heavier blow. It was both preceded and followed by incidents eminently characteristic of the times.

We have seen how Andrew Forman, a Scottish ecclesiastic, was promoted by the influence of the King of France to the archiepiscopal see of Bourges, in acknowledgment of his services in promoting that invasion of England which ended in the battle of Flodden. He was scarcely seated ere he had to submit to a new arrangement. Pope Leo X. wanted a high ecclesiastical benefice for his nephew. St Andrews had just become vacant, but the result of his inquiries was, that an attempt to force a foreigner and a Papal nominee into that chair would be hopeless. Whether it was that Forman was not yet fully inducted, so that the Papal Court could keep him out of the see of Bourges, or for some other cause, Forman agreed to leave that preferment in Leo's hands on condition of receiving St Andrews. There still remained half the difficulty, since Forman was to be appointed by a Papal brief; but he had friends in Scotland. There were two rival candidates, one of whom was Hepburn, a member of the Bothwell family. He had been elected by the canons, but he resolved to strengthen this ecclesiastical title with the arm of the flesh, so he seized and held the Castle of St Andrews. The dispute was compromised by a distribution of ecclesiastical benefices and temporalities among the three candidates, Forman remaining archbishop. He was one of the Scotsmen of the day who had lost their nationality by living among foreign influences. He became deep in the councils of the regent. It was naturally supposed that

his exotic training made him more apt and serviceable as an adviser to such a chief than men of native influence; and we have already seen matters of recent disclosure showing that those who suspected him to be capable of giving evil counsel for his country were not far in the wrong.

At that time the Lord Home was, next to Angus himself, the most powerful of the Angus party. He was the only man of distinction who had come alive from Flodden field, but he escaped without dishonour, having borne himself manfully. This naturally gave him much popularity, as the only living representative of the heroism of the day. He held the court office of chamberlain, and was one of the wardens of the marches, while at the same time he was the head of one of the most troublesome and powerful of the border clans. It has been said that by sending a force of borderers to aid Hepburn in holding the Castle of St Andrews he fell under the hatred of Forman, who sought his ruin. Whether this be true or not, it is certain that Home and his brother, while seeming unconscious of danger, were seized in Edinburgh, tried, and beheaded. There was the form of an assize or jury on the trial; but it was said that the foreigners surrounding Albany were the real agents in the affair.

The regent returned to France after having been little more than a year in Scotland. He pleaded business about the league with France and his own estates. In reality he seems to have been seized with an irrepressible longing to be relieved from the dreary troublesome existence he was enduring, and revive the enjoyable life of Paris. It was with ex-

treme unwillingness that he was permitted to go, and the Estates stipulated that he should return in four months.

He left behind him serious causes of offence. In three of the strongest fortresses—Dumbarton, Dunbar, and Inchgarvie—he put French garrisons. Conspicuous among his followers was the Sieur Antoine d'Arces de la Bastie, one of the most distinguished men of his day for bravery and skill in the lists, and for every kind of knightly and courtly accomplishment. In the histories of the period it is said that Albany appointed him to act as interim governor or lieutenant in his absence. No such appointment could have been made without the consent of the Estates, which would never have been given. It appears, indeed, that the two archbishops, along with Angus, Arran, Huntly, and Argyle, were appointed as regents. On the only occasion in which La Bastie's name is mentioned as the holder of an office, he is called "guardian and lieutenant within the boundary of Lothian and Merse."[1] From this we may infer that he was a warden of the marches. He would thus hold the office of the martyred Home, a fitting qualification for border vengeance. From the way, too, in which his pretensions are spoken of, it may be inferred that Albany, in the intensity of his ignorance of the jealous nationality of the Scots, had requested his friend to look after matters in a general way, and keep them right in his absence. Any official notices of his transacting business refer to the border, but these notices are of the scantiest amount, as if the records of the day were shy of acknowledging him as a public officer. The treasurer pays the wages of

[1] Extracts from Privy Council Records, Pitcairn, i. *235.

fifteen gunners serving him in the Castle of Dunbar, and the expense of a proclamation issued by him for driving the thieves and broken men out of Tweeddale and Eskdale.[1]

He was informed that there was a gathering, with fighting and bloodshed, in a family dispute about the possession of the tower of Langton, near Dunse. It was said that the squabble was got up to lure the poor warden into a snare. He came with a small force, expecting that his authority would command obedience, and put an end to the disorders. He soon found, not only that he was scorned, but that it were well could he escape alive from the insulting and menacing figures around him. He fled, trusting to the fleetness of his horse; but, ignorant of the country, he floundered into a swamp, where he was caught and killed; and the chronicles say, that the Laird of Wedderburn, who was a Home, took the dead man's head and hung it to the saddle-bow by the curled locks, which were the pride of the gaudy Frenchman, and the scorn of the rough men among whom he had fallen.[2]

The death in this manner of a distinguished courtier and soldier could not but open serious difficulties with the Court of France. There were, as a matter of course, demands for the punishment of the criminals. These were answered with much fuss and verbal zeal on the Scots side. An expedition was fitted out against the Homes and their abettors with such pomp and display of power that it warned them to escape into

[1] Pitcairn, i. *261, 265.

[2] Pitscottie, 307. The place where tradition says he was killed is still called Battie's Bog.—Stat. Account, Berwickshire, 254. Owing to the way in which his name was pronounced by his countrymen, he is called in the chronicles Tillibatie.

England. There was much noisy hunting after the perpetrators, but none of them could be seized, and no one was brought to trial and punishment for the murder of La Bastie.[1]

This affair was not the less embarrassing that the alliance with France had just been renewed. The treaty of renewal was deliberately revised, and became a new basis on which other renewals were founded. It conditioned that neither France nor Scotland was to make a separate peace with England; to every treaty for that end they must be partners. When either country was at war with England, the other was to attack England. For Scotland the method of attack was a simple invasion. France, as ally of Scotland in a war, was first to attack the Continental possessions of England, and when this source of war was exhausted by their capture, an invading army was to be sent over, unless England should come to terms. There was a special clause that on England attacking Scotland, France was to send to her ally a hundred thousand *ecus soleil*, five hundred mounted spearmen, as many foot-men, and two hundred cannoneers, to be franked to the shore of Scotland, and then to be in the Scots service and pay. On the other hand, when France was invaded, Scotland agreed to send her six thousand good men-at-arms. Whether

[1] Teulet Papiers d'Etat, No. 3. It is significant that the only notice of the affair extant in the records bearing on criminal matters is a remission or pardon to one of the perpetrators, in terms which leave no doubt of his guilt. "Remission to William Cokburne, son and heir apparent of William C. of Langtoune, for art and part of the treasonable slaughter of Sir Anthony Darcese de la Basty, Knt., guardian and lieutenant within the boundes of Leuthiane and Merse, and for assisting the committers of the said slaughter after committing thereof, and for absconding with them 'red hand,' and for art and part of assisting umquhile Lord Home."—Pitcairn, i. *235.

or not Albany had the merit of working out this treaty, he was the nominal negotiator of it on the part of Scotland. He engaged to obtain for it the ratification of the Estates within two months after his arrival in Scotland. The Duke of Alençon, for France, engaged to obtain its immediate ratification by his king.[1]

The regent, free of such troubles, and enjoying himself in the place he loved, failed to return at his appointed time, and was sharply reminded of his promise, like a truant clerk. The country was indeed in sad confusion. The Celts of the west again came to a formidable head in a rising for the establishment of the old independent dominion of the Isles; and the only method of repression at hand was by strengthening and encouraging their neighbour and natural enemy Argyle. The chief troubles of the country, however, arose from the efforts of the Angus party to regain their predominance. There was always a little army at the disposal of the Douglas, consisting of border men who were thoroughly trained to fighting, and thoroughly enjoyed it. They disturbed Edinburgh with a succession of brawls that almost rose to the importance of a civil war. In one of these, which holds a name in history, they were not the assailants. A party of those who might rather be called the enemies of Angus than the friends of the Government sat in conclave in Edinburgh, within the church of the Blackfriars, arranging a plan to overwhelm the Douglases, who were then supposed to have a weak party in the city, and to make Angus prisoner. Gavin Douglas, the poet Bishop of Dunkeld, though he took no share in the contests of the

[1] See the treaty at length in Teulet (8vo ed.), i. 4-8. It is not in the 4to edition.

times, naturally desired leniency for the house to which he belonged. He addressed himself personally to Bishop James Beaton, calling on him as a minister of peace to try rather to conciliate than to cause strife. Beaton, laying his hand on his heart, protested on his conscience that he had no concern with the matter; but his action was so vehement that a slight ring as he struck his breast came from the armour under his vestment, on which the other bishop said he heard his conscience "clattering." In this there was a play on a Scottish use of the word "clatter" for an indiscreet betrayal of a secret which it is intended to keep. The Douglases were attacked, but they were by no means weak: they made, indeed, so effectual a sweep of their assailants from the streets that the affair was called the battle of "Cleanse the Causeway."[1] In this affair Angus slew Sir Patrick Hamilton, Arran's brother—a thing to be remembered by the Hamiltons.[2]

Angus, after thus driving out his enemies, held Edinburgh by an armed force. As belonging to the committee of governors, he was entitled to act as one having authority; but it is evident that he was seeking supremacy for himself. He seemed in a fair way to find his way to supreme authority, by getting posses-

[1] The best account of it is in Pitscottie, 286-289. He says, however, that it "was struken in the yeir of God 1515 yeires," but the preponderance of authority dates it in 1520.

[2] We find Wolsey, who well understood cause and effect in such matters, saying four years afterwards, "It shall be found a thing right difficile to make a good concord between the Earls of Arran and Angus, considering the Earl of Angus slew Sir Patrick Hamilton, brother to the said Earl of Arran, his own hands, intending also to have killed him [Arran] if he could; which mortal hatred, rooted and imprinted in his heart, shall be hard to be removed."—State Papers (Henry VIII.), iv. 106, 107.

sion of that symbol of power, the royal boy. He had, however, a relentless enemy close at home in his own wife. Whether from jealous rage at his conduct, or because her own affections were wandering elsewhere, she sedulously thwarted her husband's projects as a politician, and proclaimed her hatred and contempt for him as a man, with a vehemence which created public scandal. She exerted herself, along with others, to bring back Albany, who appears to have been reluctant to return. The Lord Fleming was sent to France to fetch him, with instructions, probably among the oddest ever given to a European ambassador. He is told to pursue "his errands after his memorials meekly and by soft ways;" but if the ways were to be soft, their end was to be obdurately pursued. The fundamental resolution he was to convey was, that if "my lord governor be not in Scotland or midsummer," the Estates are "to declare him unable ever to come to the crown of Scotland in na manner, and to debar him therefra." Also they are to declare him "infame," and take his office of governor from him. Further, they will in such case break with France and make peace with England, and join with King Henry utterly against France. The ambassador is to let the Court of France know this, and show that the evil to come of the loss of Scotland will far surpass any advantage arising from the detention of Albany in France. He is to tell how much Scotland has suffered from England for the sake of the old league—how little has been gained by holding to it. There is a word or two of regret for the risk run by "the auld, lang, and true friendship has been betwixt France and Scotland," and how "it is sore to Scotland to take part with England and treat with England,"

as she must if the King of France and Albany concur to leave the country without a governor.[1]

Albany returned at last, arriving in Scotland in November 1521, after having stayed away upwards of five years on the leave of absence for four months which had been so reluctantly conceded to him. He was so rapturously welcomed by the queen, and the two were for a time so inseparable, that evil conclusions were drawn about their conduct. It might all have been owing to the woman's impulsive nature, and the vehemence with which she pursued the one object uppermost in her self-willed thoughts; but her conduct laid her open to other imputations, and they were freely laid on her.

Albany was more unpopular than ever. He returned with all the odium he had earned on his previous sojourn, and was daily adding to it. He was as thorough a Frenchman as ever, and as blind to the peculiar character of the people among whom he was to be chief governor. To such disqualifications for practical rule in Scotland there were added accusations of crime and treachery, meditated, if not actually practised. Early in his former visit the younger prince, the infant Alexander, had died suddenly, and the passage in English history bringing in the reign of Richard III. was ominously pointed at. Thus the king's life was said to be in danger from his machinations. It was remarked that he seemed to be making arrangements for occupying the throne. The style of his establishment was princely. He had, too, in his first visit been very careful to get an Act of Parliament passed which pro-

[1] Instructions to Lord John Fleming, envoy to France. Wigton Papers, Misc. Maitland Club, ii. 383.

nounced the offspring of his father's first wife illegitimate, on the ground of the propinquity of the parents. When it might be said that this was only a fair act of the law vindicating his personal position, which it was all the more fitting to accomplish when he was raised to the high office of regent, yet it was thought to argue something further, that, to achieve a matter of personal right for which the ordinary courts were open, he should set in motion the august machinery of the legislature. Those whose suspicions were of milder character gave them shape in projects to carry off the young king to France, and bring him up like Albany himself—a Parisian courtier, and a fit instrument for the conversion of Scotland into a dependency of France; a consummation to which many Scotsmen were looking forward in jealous alarm.

It could hardly yet be said that there was an open English party in Scotland—a party who, independently of personal motives, looked to a close union with England as a better policy for the country than a close union with France, and could contemplate with satisfaction any alliances likely to bring both crowns upon one head. As there naturally must be a policy of acceptance as the converse of rejection, the dislike of Albany and the French connection, ever growing and threatening, might be expected to promote the growth of an English party. The quiet progress of such a political development was, however, suddenly broken by a blow from a rude hand. King Henry bullied the Scots with the threat of war if they did not drive Albany forth.[1] This at once showed the path of na-

[1] In Wolsey's emphatic language, the alternative was thus put in a letter to the queen: "Fynally, madame, I assure your grace, the kinges

tional duty; the country, whatever it thought of Albany, must stand by him for a time at least.

By a diplomatic revolution well known in history, the close friendship with King Francis was suddenly broken, and Henry united with Spain and the Pope against France. He desired that Scotland should adopt the same policy, and expressed his desire in a demand rendered in his own headstrong fashion. We know the form in which King Henry made this demand only as it is echoed in the remonstrance of the Scots Estates. This is a document drawn with great skill and good feeling, and dignified by a spirit of courteous defiance, which sometimes approaches, as nearly as the seriousness of the occasion permits, to polished sarcasm. They deal first with a charge that the king is in danger, from a probability that his mother may be married to Albany. The Estates express a sort of well-bred astonishment at the terms in which the king has sought fit to utter his suspicions on a matter that should call for the nicest delicacy of treatment, seeing the royal lady who was their queen was his own sister.[1] They

grace woll never dissist to make war unto Scotland, unto the tyme the seid duke shalbe clerely abjected and abandoned by theym, and that they wold take upon theymselfes to governour and rewle the realme, and sewe to his highnes for peas, as affor; whiche by theym doon, I have not onely ample and full auctorite to treate upon the same, but also to gif theym assistence of men and money, as largely as of reason they can demaund. Beseching your grace not to bee discontented, though I doo nowe displeasures to suche as do more favour and obey the seid duke then their soverain lord. And as shortly as I shall receive aunswere fro the kinges highnes, I shall with all diligence send the same to your grace."—State Papers (Henry VIII.), iv. 23.

[1] The strange and strong expressions in the following exordium are evidently the words not of the Estates but of Henry himself, repeated by them: "Ye now understand that the Duke of Albany is here arrived, furnished in manner sounding to hostility and war, taking upon him, as governor, the custody of our said sovereign, and, as ye are in-

represent to him that not only had she at present a husband, but the regent had himself a wife of illustrious family and great domains; and as there was no ground for evil accusations, so was it unbecoming to suppose that there were grounds for the separations that would make the suggested union practicable. In speaking of their reasons for holding by Albany, the Estates seem careful to assert the national independence, without giving him too much benefit by their expression of it. The strength of his position is that they chose him, and are satisfied with his conduct. He has taken nothing on himself to their prejudice, nor has he in any way interfered with their directions relating to the charge and treatment of the young king and the persons to be about him, so that the Estates look on Henry's injurious expressions as employed against themselves, marvelling not a little that his grace should repute them of so small honour, conscience, and "provision," or foresight, as to overlook the security of their natural prince and sovereign. And in as far as the King of England expresses his surprise that Albany had been permitted to leave France, seeing the French king had promised that he would not suffer him to return to Scotland, what promises may have passed between two stranger powers is no affair of theirs, but their treatment of their king is theirs, and theirs only. But if his uncle must interfere, they would take upon them to say that it had better become him to have facilitated the guardian's speedy return to his charge than

formed, has committed the keeping and governance of him to ane stranger of small reputation, procuring damnably divorce of the queen your sister and her husband, intending therethrough to contract marriage with her, whereby our said sovereign lord, as to your grace appears, is in danger to be destroyed, and your sister in point of perdition."

to have interrupted it, and they end saying: "To the demand, therefore, for his removal they give a plain refusal; and if," they continue, "for this cause we happen to be invaded, what may we do but take God to our good quarrel in defence, and do as our progenitors and forebears have been constrained to do for the conservation of this realm heretofore."[1] King Henry's threat doubly checked the rise of an English party. It made it a point of honour with the Scots Estates to support the representative of the French interest; it showed that England was no safe friend, but still dealt in the spirit of dictation, although it came as the angry outburst of a passionate man, instead of the decorous formality of the old claims of feudal supremacy.

It seemed as if the country were speedily to pass from high words to strong acts. There was dread of an immediate invasion from England, and this stirred the heart of Scotland. On a summons by the Estates, a great army was again collected. Nine years had filled the place of the dead at Flodden with a new growth of men. There could be no better evidence of the urgency of the occasion than the greatness of the force. It is said to have amounted to eighty thousand men, to have had forty-five brass field-pieces, and to have been amply and even richly supplied with provisions and munitions.[2] These appliances were no doubt acquired by French money. A commission was issued in September calling out the English array or militia to protect the country from the old enemies of Scotland, who, it was reported, were coming in force to invade England, and burn and destroy as of old. A small

[1] Fœdera, xiii. 762.

[2] Documents referred to, Pinkerton, ii. 206.

force entered Scotland by the eastern border and did considerable mischief; but the bulk of the troops at the disposal of England was in France, and there was no force immediately at hand capable of meeting the Scots army. The Earl of Surrey and Lord Dacre, to whom the protection of the border had been committed, were virtually taken at unawares.

The great Scots host moved towards the western border in September 1522, and spread terror before it into England. Carlisle must fall; and until a strong English army could be assembled, a great force of those Scots so terrible in the traditions of old warfare could do as they pleased. This mighty host, however, did nothing. When it reached Annan, still in Scottish ground, Albany was visited by the Lord Dacre. He proposed a cessation of arms: the offer was accepted, and one of the most powerful armies ever assembled in Scotland dispersed. There is no doubt that this was an escape for England; there was no means of encountering the Scots, and for a time they would have had the game in their hands.[1]

[1] Of the manner in which this affair was felt by England we have this account from Wolsey's pen: "Albeit the Duke of Albany, having with him the number of 80,000 men, furnished with 45 pieces of artillery of brass, with 1000 of hackbuts carted upon tressels, with a marvellous great number of hand-guns, plenteously stored with victuals, being within five miles of your city of Carlisle, utterly determined not only to have surprised the same, but also to waste all your county of Cumberland; in the withstanding of whose malicious purpose small or right feeble resistance could have been found there, as well for the weakness of the said city, as that in time there could not be levied nor put in readiness, in those parts, above the number of 16,000 men, to resist the said Duke and Scots, with the slackness and untowardness of such as should repair from other parts for the rescue: yet by the great policy and wisdom of my Lord Dacres, and by means of the safe-conduct lately sent at the desire and contemplation of your sister the Queen of Scots, the

Much obloquy has been heaped on this aimless expedition and its leader, and it was compared with "the Fool Raid" of the first who bore his title.[1] Albany, however, though leader of the expedition, was not master of it, or even of himself. We are bound to believe what the great contemporary historian tells us, that the several feudal leaders of the divisions of the army refused to march into England.[2] The question with them was, for what had they come to fight? England had made an insulting demand—had dictated that the Scots should dismiss the chief magistrate they had chosen, otherwise an invading army would be sent to crush them. There was no such invading army. To clear away the ground of quarrel, Dacre withdrew the insulting demand. The Scots army had assembled to protect the country from invasion, but there was to be no invasion. The opportunity to strike a blow at England was no doubt tempting, but to what was it all to lead? If Scotland could protect herself it was well, but

said Duke of Albany, by taking with my Lord Dacres, having none authority for the same, an abstinence of war for one month, to the intent that ambassadors might be sent to your highness to pursue for peace, hath not only, our Lord be thanked, forborne his invasion, but also dissolved his army, which being dispersed, neither shall, nor can, for this year, be gathered or assembled again; whereupon, my Lord Steward having advertisement from the said Lord Dacres, hath not only discharged your army by him raised, but also for his sickness and disease is returned home to his house. So that this sudden great semblance of hostility is turned *in fumum et ad nihilum redactum*."—State Papers (Henry VIII.), i. 107.

[1] See p. 103.

[2] It has become the practice with some writers to disbelieve everything said by Buchanan. Great part of his History is doubtless fabulous, and when he comes to the controversies in which he took part, he was too strong a partisan to be impartial. But he had no cause to advocate here. He was sixteen years old at the time of the affair, and must have known a good deal about it.

to keep up an invading army in England was out of the question; it involved the constant supply of invading forces outnumbering the protecting forces of the enemy. Further, it was no longer a gaining policy to Scotland to deal as she did two hundred years earlier in mighty raids—armies that penetrated into Durham or Yorkshire, coming back with an affluent booty, while the English army that tried to punish Scotland for such deeds found bare fields left by the inhabitants, who had carried their goods to the mountains. Scotland had in some measure recovered what she had lost in the War of Independence. In the course of recovering her old position she had become respectable, and having something to lose was not to be an absolute gainer by a war of plunderers. There remained the chivalrous question of fighting to draw England off France, according to the spirit of the old league, but Flodden had left all too strong a lesson against such acts of national generosity; and though they might be taunted with the reproach that their army was supported by French money, the leaders would not risk the national salvation for France.

Were there any chance of King Henry renewing his insulting demand, it was removed by Albany, who again wanted to return to his beloved France. Leave of absence was conceded with a decent show of reluctance, more perhaps to prove that the Estates were not conniving at Henry's object than for the sake of impeding the regent's departure. In France he might have met his great rival. Angus had found Scotland too hot for him; and not being desired in England, he betook himself to France, where all Scotsmen of position met a hospitable reception.

The unhandsome dealing of England made it be felt that the dispersal of the army was precipitate, however wise it was to abstain from an invasion. The English general had not power to treat about the renewal of the truces; they were not renewed, and therefore the political relation between the countries was war. A force of some ten thousand men from Yorkshire and the counties further north gathered on the border, under Lord Dacre, to harass Scotland, and, as Surrey says in a letter to Wolsey, "do such displeasure on the march that the king's highness and your grace shall be content with the same."[1] The chief project of this force was against the town of Jedburgh, and Lord Surrey was able to render to his sovereign a good account of it. He says: "The town was much better than I weened it had been, for there was two times more houses therein than in Berwick, and well builded, with many honest and fair houses therein sufficient to have lodged a thousand horsemen in garrison, and six good towers therein, which town and towers be cleanly destroyed, burnt, and thrown down."[2] After the storming of the town and of its fine abbey, Dacre's army had, by his own account, some curious visits from the powers of darkness, for Surrey says: "I dare not write the wonders that my Lord Dacre and all his company do say they saw that night—six times spirits and fearful sights. And universally all their company say plainly the devil was that night among them six times."[3] These visitations produced a serious practical result in a stampedo

[1] State Papers (Henry VIII.), iv. 12.
[2] Surrey to Henry VIII.; Scots Border Minstrelsy, Ap. No. I.
[3] Ibid.

of horses, perhaps the most remarkable instance on record of that sort of phenomenon. The horses had been imperfectly hobbled, and a band of them breaking loose and galloping past the camp, the archers on duty, taking them for enemy's cavalry, shot at them "above one hundred sheafs of arrows and divers guns." Some of the horses ran into the blazing town and were burnt; enough were caught by the Scots to be a valuable booty, and altogether 800 horses were lost to Lord Dacre's force.[1] Though he brought a strength not to be resisted by a sudden local gathering, Dacre carried away a respect for the metal of the enemy, saying, "I assure your grace I found the Scots at this time the boldest men and the hottest that ever I saw any nation, and all the journey upon all parts of the army kept us with such continual skirmish that I never saw the like. If they might assemble forty thousand as good men, as I now saw fifteen hundred or two thousand men, it would be a hard encounter to meet them."[2]

[1] We have the benefit of Henry VIII.'s commentary on this incident, and if we knew nothing more about him we might infer from it that he was a generous and kind-hearted man: it is in a letter to Surrey, where he says: "And as for the loss misfortuned among my Lord Dacre's horses, albeit that, for the tender favour we bear him, we be right sorry that any harm should in any wise come to him; yet, considering that the same grew but by mere chance, whereof our enemies can claim no honour, we reckon your commendable exploit nothing blemished thereby, which chance also might well have happened though they had been in the camp, not without greater commotion and more sudden affray. And, sith also the adventures of the war seldom pass without some mishap, we be well content and right glad that it is rather fallen upon the horses than upon the men; of whose return so whole, with so few of our well-beloved subjects lost, we right heartily thank God, your and their valiant acquittal, with your good and prudent conduct."—State Papers (Henry VIII.), iv. 46, 47.

[2] Surrey, *ut sup.*

Thus there was war with England still, and the country was in such a condition that French aid might be thought welcome. Albany returned with a French force of three thousand foot-men and five hundred mounted men-at-arms, brought in fifty vessels.[1] There were great preparations on the part of England to intercept him, but they failed. He arrived on the west coast near the end of September 1523; it was observed that he touched at the Isle of Arran on the very day of the burning of Jedburgh. It was at the same time a rumour of the day, which passed on to England, that Albany was to be followed by Reginald de la Pole, the grandson of George, Duke of Clarence, brother of Edward IV. He was to come as a pretender to the crown, and add seven thousand men to a Scots invading army.[2]

At the call of the regent, the greater part of the disbanded army reassembled on the Boroughmuir, making a force variously estimated from forty to sixty thousand strong. England was threatening the country and desolating the border: that was the ground on which they came together. They would cheerfully help to protect the country from invasion; but they let it be known from the beginning that they would not do the work of France by crossing the border and invading England. Instead of heartily welcoming the French

[1] Such is Buchanan's account, which must needs be taken, as he came along with the force, returning home, as he tells us in his Autobiography, to try the effect of native air on his shattered health. Mr Tytler, on the faith of a manuscript referred to by him, says he came with a fleet of eighty-seven small vessels and a force of four thousand foot, to which were added five hundred men-at-arms, a thousand haqbuttiers, six hundred horse, of which one hundred were barbed, and a fine park of artillery.

[2] State Papers (Henry VIII.), iv. 30.

auxiliaries, they eyed them with surly suspicion. They knew, in fact, that it was from the French alliance that their country was then in danger. Wolsey was determined to use every available power that his talent, his diligence, and his influence gave him to promote the Spanish alliance and injure France. The withdrawing of Scotland from France would be a great point gained —in fact, it was absolutely necessary for the free action of England against the great enemy. Therefore, though publicly bullying a high-spirited people had been found ineffectual for the desired end, the correspondence of the day shows, and the Scots perfectly well knew, that they should have no peace from England until Albany and the French alliance were got rid of together.[1] The

[1] We have this set forth in the indubitable language of Wolsey: "First, it is to be considered and remembered by his highness and his council, that in all writings and intimations made unto the Scots in this time of the wars, it hath been plainly declared and showed unto them, for a final and resolute answer, that the king's grace, who maketh war unto that country, not for any displeasure of the young king, but to compel those who favour the duke and the French faction, suspect unto the life of the said young king, to abandon the same, would never grant unto them any truce or peace, unless the said duke were first expelled and removed from the governance of the said young king's person and realm. Which thing, by your answer now lately made unto the Queen of Scots' former letters, was again largely confirmed; by means whereof, as it is thought, the said duke, who, having up his said army, supposed with a visage to have had his truce at his pleasure, was clearly disappointed of his purpose, and, contrary to his hope, thinking, the truce once attained, to have returned with glory, was compelled to retreat and fly with shame. Wherefore, if the king's highness should now, contrary to the former plain answers made, consent unto a truce with Scotland, the said duke remaining in the same as governor, it might be thought that either his grace were fatigued and wearied by the Scots, or else not able longer to continue the wars in justifying his firm resolution, and answer ofttimes made to them as is aforesaid."—State Papers (Henry VIII.), iv. 60, 61.

A full, clear light is let in upon the condition and movements of Scottish politics at this period by the abundant correspondence of

danger was great. We find the queen giving advice, which was sound as that of an enemy. She recommended Surrey not to waste his efforts on the border; the great lords safe in the interior laughed at the sufferings of the poor people there; if he were serious, and wished to do something effective, let him strike a blow at Edinburgh.[1] It was under the pressure of such conditions that the Scots army would consent to march with the French auxiliaries as far as the border.

When the army came to a wooden bridge over the Tweed at Melrose, the Scots determined that they would go no farther. Some of them, indeed, had crossed the bridge, when the matter was considered,

Wolsey. We see in his letters not only his enormous perseverance and capacity for labour, but other great qualities. The letters are long, and their explanations very full; and not only so, but sometimes the same ground is gone over twice, with an interval between. The object of all this is to make his view fully known, and leave the person he instructs no excuse for steering any part of his course by his own discretion. But though his papers are long, a kind of picturesque clearness makes them interesting. Those who are accustomed to read old state papers will admit it as a marvellous exception to their general tenor, when it is said that Wolsey never leaves any doubt of his meaning. There is throughout in his style a kind of luxurious dignity, coming apparently from this, that he is an absolute dictator, yet desires to dictate courteously and persuasively, for he was "exceeding wise, fair-spoken, and persuading." It may be questioned if he understood the character of the Scots people; but in the intricacies of their politics and the persons concerned in them he is quite at home, speaking with the ease of a man who by no chance can make a mistake in dealing with them. There is nothing of what politicians call "the monk" in these papers; one may go far in them without finding anything to remind him that the author is a prelate as well as a chancellor. From his employment of scraps of Latin, after the fashion of a pedantic parish schoolmaster, one might question the accuracy of Shakespeare's beautiful phrase, "He was a scholar, and a ripe and good one." But it is difficult to know how far this habit may have been ruled by some wretched conventional court practice of his day; and there is the question whether Shakespeare used "scholar" in the meaning now generally given to the word.

[1] State Papers (Henry VIII.), iv. 26.

and these returned. It appears that the first object of the regent was the siege of Werk Castle. For this it would certainly have been expedient to cross the Tweed by the undefended bridge at Melrose, as he would thus be on the side of the river where his work lay, and be free of any anxieties about the passage. He found it necessary, however, to descend by the left or Scots bank, and cross at a ford. The siege appears to have been conducted almost entirely by the French. They took the outer courtyard, and battered the inner bailey and the main tower with cannon; but when they thought they had made an assailable breach and tried it, they were driven back, and had to recross the Tweed. Thus the fine army gathered round the regent did not even succeed in taking this, a merely baronial castle.[1]

It was late in the season. It was November, with the expedition still inactive, and cold and snowstorms came on, from which it met inglorious losses. Again great odium was heaped on Albany; and there is not much to be said for a general who leads one useless and unfortunate expedition after another — his misfortunes must be attributed to his blunders either as statesman

[1] Buchanan, xiv. 22. He was present at this affair, and describes it with an amount of detail a little at variance with the historic breadth of his general narrative. He was then eighteen years old; and he tells us in his Autobiography that he went to have an opportunity of studying the art of war — *studio rei militaris cognoscendæ*. The size of the castle, with its double line of walls, seems to have surprised him, especially the space within the outer wall, enclosing a wide area, in which the country-people took refuge with their effects in time of war. He says that when the French got into this outer court, the English set on fire the barns and straw, and so drove them out. He might perhaps have seen in his own country, castles of which the mere fortress part was as strong, but none which had the less combative appurtenances of a feudal castle on so affluent a scale.

or soldier. The best that can be pleaded for him is that, according to the correspondence of the day, he seems to have daily expected an offer from England for the renewal of the truces. All his doings were closely watched by English spies; Surrey boasted to Wolsey that he had twenty of them at work.[1] He said he was told by one of them that he heard the governor roundly abused for having evaded battle by a gentleman of the Merse, who further charged him that his army had wasted and destroyed all that Surrey had left unswept on the border.[2] Dacre, writing to Wolsey on the 27th of December, reports, on the telling of one of these "espials," a scene that explains itself, and would be spoilt were it to be told in other words. He had told the cardinal in a previous letter that he believed Albany to be on the point of departure from Scotland, and continues, "So it was, the said duke's ships were all ready decked, lying at Dumbarton, and himself all in readiness, and his gear packed and trussed to go away; and in his going he appointed with the Lords of Scotland to have a council in Stirling with licence to depart, thinking that he should have no stop thereby. And so, when all the said lords were gathered and set in council there, he desired licence to pass into France for five months, and desired also that they would not condescend to make peace with England without comprehension of France. And the said lords made the Bishop of Aberdeen attorney to speak for them all. Which bishop, in open audience, made answer to the said duke, saying that they would give him no licence to pass, and if he would pass without their licence, he should be clearly exempted from all

[1] State Papers (Henry VIII.), iv. 20. [2] Ibid., 52.

his authority in Scotland; and besides, that he should not depart until such time as he had delivered into the king's hands the Castles of Dunbar and Dumbarton, wherein he had put Frenchmen, and all the ordnance and artillery of Scotland. Whereupon the said duke, being in a marvellous great anger and foam, sore against his will is stopped."[1] This was in December 1523. In May of 1524 Albany took shipping for France, and nearly all the foreigners, whose presence annoyed the Scots, either preceded or accompanied him.[2] He never returned, so that one element of distraction in the political elements of Scotland was removed.

At this time the country, helpless for want of a legitimate head, and distracted by quarrels and unpunished crimes of all kinds, was intensely suspicious even of those who professed to befriend it.[3] Suspicions of the

[1] State Papers (Henry VIII.), iv. 64. [2] Ibid., 77 n.

[3] The opposition, which, as we shall see, was headed by Archbishop Beaton, protested against the "daily slaughters, murders, reifs, thefts, depredations, and heavy attemptates, that are daily and hourly committed within this realm in fault of justice."—State Papers (Henry VIII.), iv. 316 n. In a letter by Dr Magnus, of whom presently, there is the following expressive account of the condition in which he found the country: "This realm is marvellously divided, so as hard it is to know to whom the king's highness and your grace should most assuredly trust. The queen is counselled by such as are more inclined to the devotion of France than of England, and continually without reason she will be calling upon the king's highness for money. The Archbishop of St Andrews, with his band, is not a little suspect, by occasion of the repairing of the Frenchmen unto him, and for their long continuing at St Andrews, and the good cheer he made unto them, with other considerations afore specified; and as to the lords temporal, there is much division among them; and unless it be the Earl of Arran, they are all poor and of little substance in goods. There is no justice in this realm, but continual murders, theft, and robbery. As things be current and come to my knowledge, so I write unto your said grace."—Ibid., 288, 289.

This is in 1525. Three years later, in a general statement that the advisers of the crown are thieves and murderers, he gives the following particulars in point: "We remembered some of the said young king's

aggressive tendencies of France were suspended for a time; but this only left the whole suspicions of the nation to rest on Henry VIII. and Wolsey, who were exceedingly active in proffering advice, and more than advice, showing that they had ends in view, and powerful motives for action. Wolsey strove with all his noble eloquence to allay this suspicion; and the tone of the honest benefactor, whose conscience approves him when encountered by ungenerous distrust, well becomes him. In writing to the queen, for instance, he says to her: "Madam, there is no living man that for the good of peace doth, I suppose, more labour and travail than I have always been accustomed to do. And surely I find the king my master so inclined to entire love and affection towards his nephew, that I have no manner of doubt, if the default be not on that side, such a peace may be had as never was had with Scotland. For the king's grace intendeth not to come into any particular demands with his said nephew, sounding to the prejudice of him, or of his realm of Scotland; but his highness mindeth so to proceed as a most loving father would do with his good son, and after another sort than kings of England have beforetime done with kings of

councillors, that is to wit, Sir James Hamilton, who did slay the Earl of Lennox, the Sheriff of Heire [Ayr], who also did slay the Earl of Cassillis, the Lord of Buccleuch, who was cause of the death of Dan Carre, Warden of the East Marches of Scotland, and the Lord Maxwell, chief maintainer of all offenders, murderers, thieves, and others, daily procuring and seeking ways and occasions to the breach and rupture of the peace between both the realms; by means of which misruled persons, and of Harry Stewart, now married to the Queen of Scots, the said Earl of Angus is attainted, as consequently by all likelihood shall be other the noblemen of Scotland, for want of good councillors about the said young king, to his own no little danger, jeopardy, and peril in conclusion, if that the counsel of his dearest uncle the king's grace be no better followed."—Ibid., 526.

Scotland. For the proximity of blood is so near between them, that the natural love overpasseth all particular pretences or demands. And both the king your son, your grace, all the nobles and subjects of Scotland, may be sure to find more honour, surety, quietness, well, comfort, and profit at the king my master's hands, than ever they have had or shall have of France, or other region whatsoever it be. Which things, madam, ariseth of no benefit that the king my master desireth or looketh to have of Scotland, but only of his gracious disposition and entire love towards his said dearest nephew and your grace."[1]

Whatever course they might be prepared to take if their designs were thwarted, the immediate objects of the headstrong king and his scheming assistant were not then in the direction of establishing the old superiority, or otherwise humiliating Scotland. All that Wolsey wanted was to gain Scotland from France for the furtherance of his own great project. In the correspondence it was often alluded to that King James stood in fair likelihood of being king of both countries. A project for marrying him to "the Lady Princess," as she was called—Mary, afterwards Queen of England—was proposed on the part of England, apparently in all sincerity. To reach objects, however, which in the end were fair and beneficial to Scotland, there was no hesitation in treading crooked paths. Wolsey had an instinctive suspicion of the two Beatons—one of whom was to win a cardinal's cap, and to gain a political eminence not unlike his own.

The elder Beaton, apart in his Castle of St Andrews, has a history of his own. What was outwardly known

[1] State Papers (Henry VIII.), iv. 94.

about him was, that he played a separate game from the other parties. He was not for England, nor had he so committed himself to the French interest but that he might be gained for England. But how to reach him was the difficulty. He was Primate and Lord Chancellor; but what gave any reality to these high offices was, that he possessed the strong Castle of St Andrews, on a rock jutting into the sea. There he intrenched himself, and became unapproachable, save to those whom he chose to receive. These were more numerous and important than the maintainers of the queen and the promoters of the English policy liked; but what was done in the secret conclaves within the fortress was a dead mystery. An incident occurred to enhance the curiosity and suspicion already at their highest tension. In the winter of 1524 there arrived, as the Englishman Magnus, of whom hereafter, reported to Wolsey, two galleys from France. They came, so far as this spy could ascertain, partly from Albany, partly from the Government of France, as an embassy. But instead of attending Court they swept on to St Andrews, and joined a conclave of the Scots lords there assembled. What rendered the affair the more exasperating and anomalous was, that with them came over David Beaton, the archbishop's nephew, ambassador accredited to France from the Court of Scotland; and he too, instead of proceeding immediately to Court to give an account of his mission, passed on with the strangers to St Andrews—so at least says the English resident.[1]

[1] This David Beaton was afterwards the too celebrated cardinal. In this his first entry on history, he is not announced in a dignified shape. Magnus calls him "Mr Davy Beton," and says: "The said Mr Davy, al-

Magnus appears to have written to the archbishop, closely questioning him about the matter, but Beaton turned off the assault with the graceful ease of a master in diplomacy. It was Yule or Christmas time, the period of hospitality, and he was doing his best to entertain his friends. He would have been delighted to see Magnus himself among them had he been able to come, which the hospitable archbishop takes for granted he was not. No doubt if his relation delayed reporting the result of his mission at Court, that was an irregularity, but it was his own affair to excuse as he might. And then as to the Frenchmen—why, he knew nothing about their coming till they "knocket at the yet," or knocked at the gate, while he was at dinner, and he could not but receive them with such hospitality as he could command.[1] There were various attempts, complimentary and threatening, to get him out of his stronghold. He was called to council meetings as one whose advice was of moment to the administration of affairs. His duty as a statesman, and the sore need of those who wanted his help, were pleaded, but he came not. He was equally callous to citations of a more threatening character. The queen professed to deprive him of his office of chancellor, but it was not given to another until Angus got the command of the country, and the dismissal seems to have made no difference to Beaton. In the midst of the noisy and ferocious troubles of the times, there is something sublime in this subtle

beit he were ambassadour for the King of Scottes in France, ymmediately after his commyng to Dombar, withoute aither doing his duety to the kingges grace here, or to the quenes grace, departed from thennes, and went streight to the Archbusshop of St Andrewes."—State Papers (Henry VIII.), iv. 277.

[1] State Papers (Henry VIII.), iv. 282.

spirit standing apart shrouded in silent mystery. Wolsey was tempted against Beaton's negative craft to practise his own active craft, but to no purpose, except to leave one of the most curious little stories of subtle and treacherous diplomacy on record. As Norfolk said, in writing to his master, Wolsey, "The said chancellor is very crafty and subtle;" and, as we shall see, he needed all his craft and subtlety.[1]

It was suggested, on the part of England, that a "diet" or conference should be held on the border by commissioners from both countries, who should deliberate on the best means of putting an end to the ceaseless strife between them. It was further suggested that it would promote the object of such a conference, if on the side of Scotland it had the benefit of the sagacity of that eminent statesman the Chancellor. Beaton, however, true to his negative policy, would not go to the border, offering what Wolsey calls "certain vain and frivolous excuses." Lord Norfolk, having reported to Wolsey this defect in the programme of the conference, got in return an emphatic rebuke for not having been acute enough to see what was meant by the profession of a diet. There was no serious intention of treating with Scotland in such a manner. The object was to get Beaton into English ground and kidnap him; that having fallen through, no conference is to be held. But Wolsey's explanation cannot be told so distinctly as in his own words, which are these:—

"My lord, ye know right well that the practice set forth for the said diet was never meant nor intended on this side for any communication of peace which the king's grace would or thought should have been had in

[1] State Papers (Henry VIII.), iv. 85.

the same; considering it were not meet nor honourable that his grace should condescend to any such diet with the Scots; but it was done only with the intent under that colour to have intercepted the said chancellor by means of the Earl of Angus, whereby he, with all his adherents, should the more facilely have been induced or compelled to condescend to the erection of their king and the extincting of the Duke of Albany's government — being the principal things which the king's highness goeth about touching the affairs of Scotland. And, therefore, considering that the said chancellor, either percase suspecting the danger of such interception, or otherwise, is not, as it seemeth, minded to come himself unto the said diet, it is not the king's mind that either ye or any other person shall on this part observe or keep the same."[1]

Norfolk is then told how he must get gracefully out of the affair. He is instructed to take huff at the chancellor's reserve, and to declare that there is no other person in Scotland sufficiently eminent to meet him, so that the conference must fall through. It may interest the ethical philosopher to know that certain limits were set beyond which treachery must not go, even for the desirable end of catching this archbishop. Wolsey was ashamed to send him a safe-conduct. "I send you," he writes to Norfolk, "no safe-conduct for the chancellor or other; for if the chancellor will come —in which case the king's mind is that ye set forth the practice for his interception—it were not convenient he should have a safe-conduct, but to be trained by other dulce and fair means thereunto."[2] For this it occurs to him that feminine subtlety will suit best, so

[1] State Papers (Henry VIII.), iv. 86.

[2] Ibid., 88.

he thinks Queen Margaret will prove "the most propice and convenient instrument in this matter." She is to be induced to give her aid "by all good ways possible, pretending that nothing shall be wrought but only by her means." It were perilous and dangerous really to depend on her, though she may be flattered to give her aid. The solid dependence must be elsewhere; "it is not folly for a good archer to have two strings to his bow, especially whereas one is made of threads wrought by woman's fingers." [1]

Wolsey's next plan for getting hold of Beaton was to have him sent as an ambassador from Scotland to Henry's court, and when he was there to keep possession of him. However it might affect the country, it was not intended that this project was to be prejudicial to Beaton's own fortunes; but again it is best to let Wolsey set forth his plan in his own words. He informs Norfolk, that "there be things set forth, not only for putting of the noblemen of Scotland in perfect assurance of the king's benevolence, assistance with puissance, counsel, and aid for the maintenance, increase, and supportation of their young king in his estate and authority royal, but also ways and means devised to cause the chancellor to be sent hither in ambassade, by means whereof he might by good offers be drawn into the king's part and devotion, or else be detained here, *ne noceat ibi.*" [2]

To bring over Beaton himself to this project was a special task for Wolsey's persuasive pen. What he wrote we unfortunately have not in substance, but we have his own account of its tenor and hidden object, rendered with something like a chuckle over the in-

[1] State Papers (Henry VIII.), iv. 88. [2] Ibid., 109.

genuity and cunning that inspired their author. He is still writing to Norfolk.

"Right expedient shall it be that ye ponder the cause of my tender writing to the chancellor, which, to be plain with you, is not to advance his authority, or for any love, trust, or credit which the king or I beareth towards him; but fearing lest the queen, and such as have taken part with her in the erection of the young king, be not of power and puissance utterly to subdue the said chancellor; nor also, whether the Earl of Angus would, might, or were able to do the same, is certainly known. Therefore, I have written such kind letters to him to allect, induce, and train him to come hither in ambassade for conclusion of peace between both realms; which doing, experience may be made to get and win him into the king's devotion, or, that not attained, at least he may be kept here, whereby he shall do no hurt there. And this is the cause only of my pleasant writing to him; where, if the means might be found to set him up in some strait custody, amoving and expelling him from all authority and doing there, it should be more acceptable to the king to have it done to-day than to-morrow. And in that case no such sending of him hither in ambassade is to be experimented or requisite."[1]

If he could be caught, imprisoned, and stripped of his power, there would be no occasion to send him on an embassy to London. It is clear that the chancellor was right in letting neither threats nor flattering offers draw him beyond the walls of his strong castle in St

[1] State Papers (Henry VIII.), iv. 110. It has been inferred, apparently from this letter, that Beaton was offered the interest of Henry and Wolsey to get him made cardinal, if he would help the English policy.

Andrews; for there was yet another project for getting him into England. For this project preparation seemed to have been made in Scotland. Beaton was tempted to leave his stronghold to attend the Parliament held in 1524. By that Parliament, as we shall see, a revolution was accomplished, and Beaton was imprisoned, along with his partisan Dunbar the Bishop of Aberdeen, and some others. They were only detained for a short time; but on hearing of their capture Wolsey wrote to Norfolk in high exultation. He hopes the bishops shall never be released; but to make sure work, and effectually defeat all machinations of their friends in Scotland, he proposes that they be sent to Berwick, where they may be dealt with by the English Government. "It is thought unto the king's highness, me, and others of his discreet council, that a more sure, honourable, and substantial way cannot be devised, than that the said two bishops should be, by the Queen of Scots' means, with assent of the king her son, in most secret manner sent, without any tarrying or tract of time, with a convenient custody, unto the town of Berwick." Wolsey seemed to think that this proposal required a good deal of support from his persuasive ingenuity, and so he sets forth at length five reasons in its favour.[1] Norfolk is therefore to write to the

[1] "First, it should be a great and high reputation to the authority of the said queen; secondly, it should induce terror to any man, of what estate or degree soever he were, to impugn or impeach either the king her son in his own government, or her, and such other as now do rule in their authority; thirdly, by mean thereof all doubts of practices to be made by any friends of the said two bishops should be avoided; fourthly, the Duke of Albany, hearing thereof, should never dare arrive in Scotland, although he were coming unto the shore of the same; fifthly, in case any chance should fortune in Scotland, adverse or contrary to the said erection and government, procured by the friends of the said two bishops, or any of the faction of the Duke of

queen, who has the ascendancy for the moment, "that, for the considerations before specified, the sending of the said two bishops unto Berwick is in nowise to be pretermitted, which thing is so to be handled that no person living be made privy thereunto but such as be most secret and shall have the doing thereof; which, by the Lord Maxwell with the guard, or part of them, may facilely be brought about, and the said two bishops to be in Berwick before it be known in Scotland. For, if there be tract of time in it, and either that matter known or suspected abroad, it shall be more difficile to bring it to pass. And if need be, ye may so provide and order that the said two bishops, put into habits dissimuled, and secretly in a night conveyed and conducted, with a sufficient company, part of the way towards Berwick, may be met by some persons by you to be appointed, and so brought the residue of the way in surety."[1]

Thus we see that Wolsey, when he had an object in view, was not easily turned from it by failure, and did not stick at trifles. There was another design in

Albany, they, being in Berwick, might always be compelled, and would be glad to write for the ceasing and extincting of any such contrarious thing, in avoiding the danger which else themselves should be in—so as, if all other refuges or helps failed, that, in extreme necessity, were a perfect sure way to repress any attempt that might be made against the said king and queen and their government; and, finally, they being so minded, and writing unto the king's highness and me for that purpose, they shall not doubt but that such means shall be found that the said two bishops shall be totally deprived of their dignities and promotions, which then may be conferred and given unto such assured and substantial persons as the said king and queen shall think good. This high estimation growing hereby unto them, the surety that the said king and queen shall be in by reason hereof, and the fear and terror which the Duke of Albany and all other his friends shall be in by reason of the same, is highly to be regarded."—State Papers (Henry VIII.), iv. 122, 123.

[1] Ibid., 123.

his mind at that time, which he found still more impracticable, because it was crossed by the loves and hates of a self-willed woman. The queen had taken to the youth who was to be her third husband, and hated her existing husband, Angus, with such intensity of hatred as only such domestic conditions can nourish. For no promises, or soothings, or threats, would she undertake not to make deadly war against him if he entered Scotland. It was in vain that Wolsey pleaded the welfare of her country, the safety of her son, her own safety and good repute—all went to the winds. At last he bethought him of setting the two difficulties —the return of Angus and the possession of Beaton—against each other. He threatened that if the queen would not send Beaton to Berwick her husband should be let loose on her. But it was not in her power to accomplish Wolsey's wish with her own hands, and those about her would not dare to do a thing so unconstitutional, even if any of them were inclined to it. The interference of foreigners in their own affairs, and the putting their own people at the mercy of strangers, were two things so odious in Scotland that they were not to be mooted. Among all the evil deeds charged against Albany, the most monstrous was that, by the assistance of his French agents, he had got Angus carried off to France. So Norfolk wrote to his master in the following unmistakable terms about the Berwick project: "Came hither my servant Hals, and hath showed me that the queen doth say, that in nowise she dare send the said bishops to Berwick; for, she asking the opinion of all the lords thereof, they answered precisely they would never consent that any Scottishman should be sent into England for offence done to

their sovereign lord, and bade my servant take it for a resolute answer she would not send them; for if she should, all Scotland would grudge against her, which undoubtedly hath great appearance to be true by that I have heard and have been advertised of by divers other Scotsmen that I trust very well."[1] The project had to be abandoned, and Beaton was soon at freedom again.

The being round whom all this entanglement of intrigue and quarrelling centred was the poor boy called King of Scots. He was then in his thirteenth year —old enough to feel the unhappiness of his destiny, which was to be cast among so many jailers, tearing him the one from the other. It is pleasant to find that a touch of maternal feeling seems to soften the evil nature of his mother when her projects deal with his disposal. "I assure you, my lord," she says to Surrey, "that of his age I trow not there be in the world a wiser child, nor a better hearted, nor that dare better take upon him in so far as he may; but he wants nothing but help to bear him forth in his good quarrel. And I assure you, upon mine honour, that he loves not the governor nor no Frenchman, and the king my brother will find an his grace make him help. And as to his coming forth at freedom, he will not bide in no longer than Monday come eight days, without he be holden perforce by the lords; and that he saith plainly that no good Scotsman will hold him in a house against his will; whereof the Frenchmen that are here are right displeased."[2] Then, as indeed throughout the Scots state correspondence of the years 1523 and 1524, the chief object is what was termed "the Erection" of

[1] State Papers (Henry VIII.), iv. 147, 148. [2] Ibid., 4.

the king—an acceptance of him, boy as he was, by the Estates as their monarch, no longer represented by a guardian or governor. This was believed to be the most effectual way of checking the French party, and securely providing against Albany's return; and it was a plan especially commendable to those who, knowing that the boy could not do the duties of his station undirected, expected to rule in his name. Hence the French agents and their friends were against the project. It had gone so far in September 1523 that Surrey, writing to Wolsey, tells him, in the words of a sure informant: "Notwithstanding all the persuasions that the said Galtier can use, and the great gifts in money that he promises, and also the promotions of benefices, that he believes that a good number of the lords will consent to the taking forth of the king. And he showeth me undoubtedly that the young king saith that for no man he will be any longer kept within a castle, but will be at his liberty, and that one realm shall not keep him and the duke; and that with a dagger he hath stricken a gentleman about him through the arm because he did contrary his opinion, and would have stricken the porter with his dagger because he would not suffer him to go out at his liberty."[1] We have a parliamentary squabble a day or two later about the question of freedom or restraint, which is compromised by a resolution that the Earl of Cassilis and three others "shall have the keeping of the king, and ride with him where he will, so that they bring him into Stirling at the night;"[2] and the queen complains to her brother that this riding "where he will" is restrained to a circuit of a mile round Stirling.[3]

[1] State Papers (Henry VIII.), iv. 13. [2] Ibid. [3] Ibid., 15.

The "erection of the king" was an object which Henry VIII. and Wolsey had much at heart, as a blow to the French influence; but they were taking the wrong way to accomplish it by the harassing war on the border. One Sunday, in the spring of 1524, a stealthy but decided step was taken towards the erection. Sir William Bulmer wrote to Wolsey that an Observant—the father of the Observant Friars of Jedburgh—had requested permission to preach in the church of Norham, on the English side of the Tweed. This was granted, and he preached "a good sermon." This father of the Observant Friars was no less a person than the Abbot of Jedburgh. He was a Home, the brother of the two who had been executed, and therefore not likely to bear much goodwill to Albany and the French cause. Bulmer's sagacity suggested to him that something more was meant than the preaching of a good sermon, and he was right. In the course of conversation with the Observant, the feeling of the young king towards his uncle came up. The Observant declared that he knew it to be good. He praised the boy's sagacity, and at last ventured to say that if Henry should write to his nephew to the effect that if he should declare himself independent and take up his rule, favour would be shown on the part of England both to the young king himself and to those who backed him; he, the Observant, believed that the young king would act on that advice. Bulmer asked the Observant whether, if such a letter were written, the queen ought to see it: he thought not. Bulmer next asked whether, if such a letter were written, the Observant would take upon him to deliver it. The answer was, "Yea, he would take upon his conscience to do that

thing which might be for the weal of his prince and his realm." "And so," says Bulmer, "if it please the king's highness and your grace to write to the young king, I trust he will convey it, for I suppose it was his errand."[1]

The consequence of this meeting was that a letter from Henry VIII. to his nephew was put into the hands of the Observant friar, and found its way to its destination. The project for "the erection of the king" was now zealously pressed. His mother was not excluded from it, as the friar had suggested; she was the chief agent in carrying it out. It was announced to all concerned in Scotland that Henry would be liberal to those who might aid the project; that indeed there were no expectations within reasonable bounds which he was not prepared to satisfy.[2]

[1] State Papers (Henry VIII.), iv. 76.

[2] "As hereunto, first, my lord, ye may, in the most faithful and sincere manner that ye can possibly write or devise, assure the said King of Scots, on the king's behalf and semblably the queen, and the Earl of Arran, or any other taking their part, that they shall really, actually, and with all effect, have perfect and undoubted assistance to the uttermost, as well of the king's main power, if need be, as of counsel, address, money, men, or otherwise; and for that purpose only ye be coming unto the borders, ready to accomplish with deeds all such things as hath been spoken or written in that behalf, and as much as they can reasonably desire; like as the king's grace, by his special letters, which, for the brief expedition of this post, could not be ready in so short space, the copies whereof ye shall receive at this time, will not fail often to assure them, in the word of a prince, whereunto they may perfectly trust, as the experience shall manifestly prove, declare, and show. And to the intent that nothing be pretermitted which may be for the comprobation hereof, the king's highness, perceiving that the young king is not best furnished of money, will that ye, by some trusty and good means, do surely send unto the same young king the sum of one thousand nobles, and to the said Queen of Scots the sum of two hundred merks, and to the said Earl of Arran the sum of one hundred pounds, showing unto them that it is but a commencement and beginning for demonstration of the king's entire mind in the premises. And his grace will also send with

The result was, that one day in August 1524 the king was conveyed from Stirling Castle and entered Edinburgh in somewhat of a triumphal fashion, attended by his mother, and the lords who specially desired to be committed to the affair. He publicly took his place at the head of the assemblage, with "sceptre, crown, and sword of honour," in the old Tolbooth. This event was called, in the diplomatic correspondence of the time, "The Erection." It effected little more than a change of residence to the royal boy, who was but twelve years old; but it was in reality a revolution, since it gave occasion for superseding the regency of Albany, and might prove a blow to the French party. A considerable body of the leaders in the Estates signed a bond to stand by the young king and the Erection.[1] In November the affair was confirmed and put in shape by Act of Parliament. It was declared concerning John, Duke of Albany, as if he had been a truant clerk or overseer, "that he had not returned on the expiry

diligence to the said young king some clothes of gold and silk for a remembrance, besides daily presents and gratuities that shall come hereafter. Ascertaining you that proceeding undelayedly to this erection, without abiding counsel, ceremony, or advice, which may be the total disappointment of all the enterprise, they shall lack no money or other thing; like as the king's pleasure is that ye shall by your discretion." Further: "And as it should seem, by the letters of the Queen of Scots now sent, the Earls of Arran and Lennox hath been very diligent herein, and hath deserved great thank and reward, wherefore it is the king's pleasure that ye not only give unto the said Earl of Lennox a competent reward after his deserts, but also, if ye shall think the hundred pounds assigned to the Earl of Arran to be too little, ye do increase it to a greater sum, as by your discretion shall be thought convenient. For now in this beginning one groat well employed shall be to better purpose than twenty hereafter; and upon demonstration of liberality at the beginning they shall be in the better hope and the gladder to continue in their good minds."—Wolsey to Norfolk, State Papers (Henry VIII.), iv. 90, 91, 97.

[1] Printed by Pinkerton, ii. 473.

of his leave of absence to resume his office of tutory, but had abused and neglected the same, to the great hurt and scaith of our sovereign lord and his subjects; wherefore it is statute and ordained that our said sovereign lord shall use and exercise his own authority, and have the full use and governance of his realm, lieges, and subjects in time to come, by advice of his said dearest mother the queen's grace, and lords of his council."[1]

The matter was explained to the King of France in "honest letters," as the Estates termed them; and a becoming epistle from the young king full of gratitude was signed by him and sent to his uncle, Henry VIII.

[1] Act. Parl., ii. 286.

CHAPTER XXXII.

James V.

(Continued.)

MENACING ATTITUDE OF ENGLAND—MISSION OF RADCLIFFE AND MAGNUS TO SCOTLAND—THEIR EQUIVOCAL POSITION—AN EMBASSY FROM SCOTLAND DESIRED IN RETURN—THE YOUNG KING—THE FRENCH PARTY—UNPOPULARITY OF THE ENGLISH EMISSARIES—TREATY WITH ENGLAND—TAMPERINGS WITH THE NATIONAL PRIDE—THE QUEEN-DOWAGER'S DOINGS AGAIN—ANGUS RETURNS FROM ENGLAND—HIS STRUGGLE FOR POWER—HIS SUCCESS—GETS POSSESSION OF THE KING—THE KING RELEASED—WAR WITH ANGUS—HIS FALL—PARLIAMENTARY FORFEITURES—ECCLESIASTICAL AFFAIRS—MARTYRDOM OF PATRICK HAMILTON—CONFLICT WITH THE BORDERERS—POWER AND INFLUENCE OF THE ARMSTRONGS—THEIR TREATMENT—ITS BAD EFFECT ON THE CONDITION OF THE BORDERS—THE WESTERN HIGHLANDS AND ARGYLE—ATTACKS ON THE ARISTOCRATIC HOUSES—ANGUS AND OTHERS BECOME ADHERENTS OF ENGLAND—THEIR PLOTS AND PROMISES — INVASION OF NORTHUMBERLAND — NEGOTIATIONS FOR PEACE WITH ENGLAND—DIFFICULTIES—NATIONAL PRIDE AND FRENCH INFLUENCE—COMPLETION OF THE PEACE.

THAT the revolution which had just been accomplished boded no good for Scotland is rendered all too clear by the satisfaction with which it was received in England. Wolsey, looking upon it as his own handiwork, pronounced it good, expressing his own and the king's high approval of every stage of the transaction, in that

copious and clear eloquence of which he was a master.[1] King Henry continued to be liberal to those who had helped in the Erection and were likely to support it. He amply supplied the demands of his greedy and extravagant sister. He supported also 200 men-at-arms to act as a body-guard to his nephew—that, Queen Margaret said, did her and her son great pleasure and profit, preventing evil being done that otherwise would have been done.[2]

While Scotland remained the ally of France, all these transactions were yet but a means to a farther end, which Wolsey, in his clear emphatic way, calls "the exclusion of the Duke of Albany and the French faction,

[1] He writes to Norfolk: "I have received your letters, dated at Berwick the 7th day of this instant month, with sundry letters, articles, and other writings sent unto you from the Queen of Scots, a letter of the young King of Scots directed unto the king's highness, and one to you from the Earl of Arran, with the copies of certain answers by you made to the said queen. All which I have showed, read, and declared unto the king's grace, who, I assure you, taketh right acceptably and thankfully the kind and loving letter of his dearest nephew, the said young king, being so well couched, and to so good purpose, that verily it hath much confirmed the king's tender and benevolent mind towards him. His grace and I like well also the instrument of the faithful promise and oath made unto the said young king by sundry of his lords and other noblemen, spiritual and temporal, from the which none of them can decline without their extreme dishonour, shame, and reproach; perceiving well that the Queen of Scots hath very discreetly, prudently, and substantially acquitted herself herein; for the which she deserveth great laud and thank, like as both the king's highness and I, by our letters sent unto her at this time, the copies whereof ye shall receive herewith, do give her thanks accordingly. Which letters, with others such as be now also sent, that is to say, one from the king's grace to the King of Scots, another to the lords spiritual and temporal of Scotland that have taken the queen's part in this erection, and one of mine to the Chancellor of Scotland; the copies whereof, with an answer subscribed by me to the Queen of Scots' said articles, I also send unto you herewith, shall be a good riping and information to you for knowledge of the king's mind and pleasure in those affairs."—State Papers (Henry VIII.), iv. 104, 105.

[2] Ibid., 115.

and the training of the realm unto the amity of England." This object was sedulously followed up, and the great cardinal made himself so busy about it, that, had he nothing else on his hands, his Scots correspondence alone would stamp him as a hard worker. At this distance we can in many instances only judge of the importance of some of the points by the extreme anxiety of Wolsey and other great statesmen to carry them. The aspect of England was still that of threat. There was no peace, not even a continuation of the truces. The "abstinence from war" was merely continued by renewals, generally lasting for a few weeks at a time. But it was earnestly desired on the part of England that a solemn embassy to treat of peace should come from Scotland. On the side of England there is a kind of irritable anxiety that this embassy should come, and a chafing at several things that appeared to interrupt it. Among these, for instance, was a threat by Queen Margaret, that if her husband Angus were let loose upon her she would hinder the mission of the embassy; while from the other side there was a retaliating threat that if the Earl of Arran continued to put interruptions in the way of the embassy, Angus would not only go to Scotland, but take with him an English force.[1] Then came threats that if the ambassadors are not sent, King Henry will not renew the abstinence from war—in short, the Scots were to be cajoled or forced into an act which is supposed to take all its significance from its being a matter of spontaneous courtesy.[2]

Wolsey gives us traces of a curious subtle policy about this embassy. Two Englishmen were sent to wait

[1] State Papers (Henry VIII.), iv. 183 and 196. [2] Ibid., 200.

on the borders for orders to take service in Scotland. Their names were Magnus and Radcliffe. Magnus, who was in priest's orders, was the real agent, the other merely his assistant. Both were trained to diplomacy, and men of ability; and though they were gentlemen, they were not of the class from which ambassadors would be chosen. These men were to remain on the English side of the border, and when the embassy from Scotland passed them on its way to London, then, and strictly not till then, they were to pass to Edinburgh and present their credentials as representing the Court of England. Yet they were not to hold rank as ambassadors; and the winning of the small game played by the cardinal was to be in this, that Scotland sent ambassadors to England, but England did not pay the same compliment to Scotland. We shall see that the cardinal was outwitted in this, probably by his subtle antagonist the Scots Chancellor. His design is chiefly notable as continuing a sort of traditionary policy of the English Government, never to let slip any opportunity for making Scotland appear to act as if her Government held a rank inferior to that of England. Though the subordination might have no immediate influence, and might indeed be a mere technical matter, escaping public observation, yet it would stand on record as a precedent to be employed when the occasion came.

Wolsey, in the letter to Norfolk in which he carefully notes that these two men are not to be ambassadors, gives this very expressive account of the work before them: "Inasmuch as the king's highness, by sundry your letters and the reports made unto you, understandeth that there be divers things wherein

wholesome admonition and exhortation is to be given to the Queen of Scots, as well for her own honour and surety as for the weal of the young king her son, and the good order of his affairs in avoiding the manifold dangers that might ensue unto them, in case things now being amiss should not be prudently and with speed reformed; the king's highness, as well for that cause as to entertain the young King of Scots with pleasant and loving manner, is determined to send unto him with all convenient diligence, to reside in his court, his trusty chaplain, Master Thomas Magnus, and Rogier Ratclif, gentleman usher of his privy chamber, who being right meet persons for this purpose, the one to give good and wholesome advice in plain and secret manner to the queen, and the other pleasantly and dulcely to handle himself with the king, and both to help to the furtherance and conducing of all such things as may sound to the establishment of perfect intelligence between both princes, may and shall do great stead in advertising the king's grace from time to time of the very truth and certainty of the proceedings, doings, and successes there; and shall undoubtedly, by their policies, and good instructions from hence, stay many things which might be adverse to the king's good intent and purpose."[1]

These emissaries reached Edinburgh on the 30th of October 1524. The Scots ambassadors had not yet gone to England. It was found that they must not be sent until they were "fully authorised by the whole body of Parliament, as well touching their instructions as commission."[2] The Scots Government, however, appeared to be very anxious to compensate for any such slight

[1] State Papers (Henry VIII.), iv. 139.

[2] Ibid., 216.

by the brilliant public reception given to the two Englishmen, and the high courtesies bestowed on them. Their public reception was as ambassadors.[1] In all communications with them they were carefully termed the Lords Ambassadors of England. The record of these things reads like a practical sarcasm on Wolsey's subtle schéme to exchange for ambassadors emissaries of an inferior rank. From the scrupulous care, indeed, with which their ambassadorial rank is ever respected, it would seem as if the Scots Government suspected the trick intended to be played on them, and were determined to afford no excuse for pleading their acquiescence, but, on the contrary, to challenge the men at every opportunity to make confession if they really were not ambassadors. This, it would appear, they dared not do, since the alternative would have been to betray their real function, which was that of the spy.

Of course, from this time forward Wolsey had for the guidance of his policy a full narrative of everything that diplomatic ingenuity could worm out about the doings of the court and the political parties in Scotland. It is fortunate that we are now sharers in the revelations he received. To begin,—when the ambassadors, on their reception, passed solemnly to mass in the Abbey Church of Holyrood, they observed that the young king during service "was a good season occupied, as it appeared, to his most singular comfort, in looking upon the king our master's letters, so lovingly and in so cheerful manner, that in our opinions, though he were the king our master's own son, we could not have thought he should have done more." They had to pre-

[1] State Papers (Henry VIII.), iv. 209.

sent the young king with a robe of cloth of gold and a sword, the gift of his uncle. "Whereof," they tell Wolsey, "both the queen's grace his mother and his grace were so glad that forthwith it was put upon his said grace as meet as was possible, and so he did wear the same all that afternoon in the sight of the people, saying openly, 'Ye may see how well my good uncle doth remember me with many things, and yet I was never able to do his grace any pleasure.'"[1]

Of like personal interest, too, it is that when the young king hears of his uncle's intention to make him a present—"to send unto him some pleasures and remembrances for his hunting and other disports this summer season,"—Magnus reports that the boy is thankful, and very earnest that the compliment should take the shape of "a good buckler." "For of that he is right desirous, insomuch that, when his grace doth see my servants, he commendeth and praiseth much their swords and London bucklers." "And," he continues, "the buckler to be provided for his grace may not be ordained as if it were for a child; for that his grace loveth not but to have everything like unto a man, insomuch that the swords he daily useth are a yard afore the hilts, which his grace will as roundly and quickly draw forth and put up again as any man in his court."[2]

Of the young king they had many other pleasant things to say—how he disported himself in the fields at tilting, and showed familiarity with his lords, both in singing and dancing; all which his princely acts and doings are so excellent for his age, that in their opinion it is not possible they should be amended. "And much

[1] State Papers (Henry VIII.), iv. 209. [2] Ibid., 368.

more," they say, "it is to our comfort to see and conceive that in personage, favour, and countenance, and in all other his proceedings, his grace resembleth very much to the king's highness our master. And over this his said grace hath, with the most pleasant and most loving countenance, showed unto us both that much it pleaseth his grace to see and hear of the good manners of England, and much it displeaseth him to see his subjects to exercise or use the fashions and manners of France; and we being present, saw and heard his said grace reprove one of his own servants for the same cause."[1] This was pleasant information to Wolsey, so far as it went, and its tenor was repeated. We find Magnus talking over with the young king the dangerous designs of France, and telling him that he should lay all his trust upon his good, kind uncle, whose kingdom he yet may inherit; "that France was about to circumvent him by many subtle ways and means, to his great danger, and would wish his grace in heaven to have the Duke of Albany King of Scotland, which his good uncle of England continually laboureth to defend to the utmost." Of such wholesome admonition the good effect is at once evident. "The young prince was very well pleased with my words, and divers times since then hath showed me what the Frenchmen have spoken; and is so wise, that he can take his time to speak secretly, and to give warning if any suspect persons be nigh in presence. The king's highness his uncle hath wholly his young heart, and as far it is from the Frenchmen."[2]

Still these "Frenchmen" were at the king's gate giving Magnus much uneasiness, the influence of

[1] State Papers (Henry VIII.), iv. 243. [2] Ibid., 308.

which he effectually communicated to Wolsey. They were those same ambassadors or emissaries who had the mysterious conferences with the Beatons. They arrived in the winter of 1524, and at first Wolsey's agent could only give him these confused guesses at their object: "Of truth the queen's grace supposeth the same to be to her pleasure, insomuch as her grace said to me they were coming to make unto her grace great offers; and, as I perceived, she thought they came to bring unto her a great sum of money. In brief time your grace shall have the certainty; but it is thought the said persons be coming at the least to fortify Dunbar both with victuals, men, and other necessaries, and besides the same under the colour of some commission from the French king for the surety of themselves, either to win the queen's grace and the lords with money to the French faction, or else because the said Duke [of Albany] is a widower to procure some divorce between the queen and the Earl of Angus, that marriage may be had between the said queen and the Duke of Albany."[1] He travailed sorely to persuade the queen how dangerous it would be to encourage these emissaries, bidding her note well the great hurts, damages, and hindrances which Scotland had sustained from France; if the old course be followed, the country "shall sooner thereby chance to live in war, trouble, and adversity, than firmly conjoined with England to flourish in riches, wealth, and prosperity;" and as for herself, "if she will in any wise decline from the king's highness, her brother accepting any light offer or promise on the French party, her grace shall thereby lose natural and cordial love,

[1] State Papers (Henry VIII.), iv. 276.

favour, and affection, for feigned, covert, and cloaked dissimulation to her utter destruction." Yet was her grace not a little high-minded by reason of the attention of the foreigners, boasting that they had brought her thirty thousand crowns, "and that it would be long ere she had so much from out of England."[1]

Some days afterwards he had to modify this story. "Her grace saith that the French king hath sent unto her five thousand crowns, far from thirty thousand as her grace said before, but as yet the money is neither seen nor delivered—and that the said king hath sent great sums of money to the lords." These small affairs were mixed up with aggravating hints about the offer of a daughter of France, with a noble territorial endowment, to the young king. Throughout, the ambassador had the unpleasant feeling of being played with and kept from the truth. He desired to be present when the king and queen had their first interview with the French ambassadors, but this met a peremptory refusal.[2] One day when Magnus appeared at Court desiring an audience on important business, he found the young king closeted with Groselles, the head of the French embassy. It happened that the king's mother, who was ill in health, kept her chamber. Groselles had the assurance to propose that he should be present while the Englishman stated his business to the king and some of the principal personages of the realm who were assembling to hear it. The business was in itself of a triumphant character for the English interest. It was to communicate Papal briefs importing that his Holiness, in collating to benefices, would no longer give effect to the presentations of the Duke of Albany as

[1] State Papers (Henry VIII.), iv. 278, 279. [2] Ibid., 284, 285.

regent, but would look to the king himself as the administrator of patronage, and this admission it was said had been brought to pass through the influence of King Henry and Cardinal Wolsey. Armed with this triumphant message, Magnus gave Groselles a bit of his mind, referring to the French garrison which still held Dunbar Castle. "I said I could not a little marvel that, under the colour of an ambassador, the French king would devise by his commission to convey to the king's presence that person that in despite of his grace, the queen's grace, and of all Scotland, kept Dunbar, the greatest strength and fortress within the realm, with all the king's guns, artillery, and munitions for war." Having spoken to this and other like effects, it gratified Magnus to see that "Groselles and other the Frenchmen were avoided, and after not so much regarded."[1] Indeed, one day Groselles being importunate for an audience of the queen when she was indisposed, and having troubled her with much matter "wherewith she was not content," Harry Stewart, the queen's new lover, "sent to the said Groselles and bade him avoid the chamber or else he should cast him down the stair."[2] Further, the ambassador has the satisfaction to report how Groselles had complained to some of the lords "that he was in dread to tarry and to go about his causes for dread of his life, saying that divers nights he was glad continually to stand on his feet and to walk up and down in his lodging."[3]

Still, there was the other side of the picture. Magnus got hints that he was staying too long in the country, that especially the presence of English stran-

[1] State Papers (Henry VIII.), iv. 300. [2] Ibid., 307. [3] Ibid.

gers was distasteful to the Scots during the meetings of their Parliament.

So vibrated the balance between the French and English interest, when early in the year 1525 came the news that the King of France was defeated and made captive at Pavia. Magnus found that the misfortune of the old national ally had a popular influence detrimental to the English interest. When he mentioned the event in exulting tones he was met by sullen incredulity, and when at last the calamity could not be denied, some were "right sorry," while others could not restrain their indignation but "brast forth their inward cruel cogitations" against England. A few days afterwards he gives a more distinct announcement of the nation's sympathy, "which matter hath been taken here in right strange manner till now of late, insomuch that some have been sorry therefor, and right many grieved for the same, and full few comforted or pleased with the said news or tidings. And some have spoken cruelly against me for bringing such news to these parts, whose words as yet have waved but as the wind; and now the said news do so settle and sink into the Scottish minds that, hearing of the king our sovereign lord going into France with his army royal, their opinion is, for the most part, his highness shall win and obtain Paris without danger or peril of battle. They hearing also that the king's highness will take no continuance of truce, abstinence of war, nor peace, after their requests, suits, and desires, but till the 15th of the next month, are some deal moved thereat—some saying, if war follow they must defend and do as they have done afore, and the greatest part be most desirous of peace. Howbeit, the fall of France

is so sorrowful to many of them that they are not a little miscontent therewith."[1] The last part of the letter alludes to some resumption of the bullying tone on the part of Henry, but that had never been a successful way of dealing with the Scots when their blood was up.

This awakening of the spirit of national generosity, which comes to us in refreshing contrast with much factiousness and baseness, could only bring vexation and wrath to the English emissaries. But it must be admitted that they had much personal cause for irritation. They became unpopular, and their unpopularity penetrated the court circle. They complained of ill-usage in the matter of hospitality, and had great difficulty in keeping a dwelling-place. They were cursed and abused, chiefly by women as it seems, as they passed along the streets. These unfortunate men were sorely afflicted too by vain and malignant suspicions: some of these are so odd and grotesque, that at the present day it is difficult to realise them as substantial troubles perplexing an embassy, and proving the nation's hostility to important political designs.[2]

[1] State Papers (Henry VIII.), iv. 361.

[2] As for instance: "Since my last writing unto your said grace, here hath been right rageous winds with exceeding rain, wet weather, and great waters, to the dangerous getting and inning of their corn in these parts. Whereupon there is an open slander and murmur raised upon me, not only in this the town of Edinburgh, but through a great part of the realm, surmitting that I should be the occasion thereof; and that as I have done in France, Flanders, and other countries, where I never was, nor without the realm of England, but here in Scotland, I will not depart from hence till I shall procure all this realm to a destruction both in their corn, fruit, and otherwise, as is said chanced by my means one year of the vines in France. Insomuch that I nor my servants could nor might pass of late in the streets, neither to nor from the Court, but openly many women banned, cursed, sweared, and gave me and mine the most grievous maledictions that could be to our faces. Whereupon there are nigh about half a score persons, all women, taken and

The sympathy for France came at last to a distinct diplomatic issue with England. Commissioners met on the border to negotiate for a durable peace. It was proposed, on the part of England, that there should be a general clause including in the treaty the allies of both countries. As an amendment on this, the Scots commissioners set forth a clause retaining the essence of their obligations to France under the old league: "That it shall be lawful for us to help, fortify, and supply our confederate the King of France, his realm and lieges, with men, ships, victuals, and all other necessaries." Magnus, who was one of the commissioners, described this clause to the Chancellor of Scotland as "so sore and straitly penned and couched that neither we for the party of England could consent thereunto, nor your commissioners for Scotland could remit or abate the same; so that therefore our meeting come to little effect or purpose." The chancellor to whom this was said was that same James Beaton, whose unfathomable subtlety gave so much trouble to Wolsey. He was now deemed a good friend to the English cause. He was reported to Wolsey as given "at all times above all other" to the pleasure of the king's highness and his grace. Mag-

put in prison, and as yet do remain there for condign punishment, and to be example to other like offenders. And also the Friars Observant have preached sore against them that first procured and continueth this false, untrue, and detestable saying and opinion. This ungracious demeanour hath been put in execution here for the most part all by women. The beginners thereof cannot be known, but it is supposed to be by Frenchmen, or by some other favouring their causes, not being content with this peace and the manner thereof to be concluded; nor that Englishmen do come at all times, at their pleasures, and when they lust, to the young king's presence, and seeing the Frenchmen not entertained as they have been of late."—State Papers (Henry VIII.), iv. 406.

nus and he were close allies. They had a conference about this unhappy clause, and Magnus reported to Wolsey the chancellor's opinion that the obligation to France could not be omitted from any Scots treaty without the authority of an Act of Parliament, and this he would not attempt to procure, "knowing as he doth the inclination and minds of Scotland to the same, and this the said chancellor hath given me for a resolute answer."[1] We have here a signal instance of the influence of popular government on the honesty of statesmen. Whatever personal or other narrow interest might have influenced the commissioners for Scotland, they were restrained by the popular sentiment; and whether it was absolutely wise or not, it was on this occasion both honest and generous.

The abstinences were renewed, and a treaty was contracted under a change in the conditions, for the time being, of the European nations. Charles V., while inheriting the leadership of the Catholic League as King of Spain, was believed to favour the Reformation as emperor over the German Lutherans. That awkward affair, the seizure and sacking of Rome by his troops, had appalled the Catholic world. King Henry and King Francis became allies, and it was agreed that in a treaty between Scotland and France, to be concurrent with that alliance, it was not necessary to insert the special stipulation for warlike aid to France. The treaty was not completed until the year 1528. The Scots pride was touched by more than one condition suggested from England. It was, for instance, proposed that there should be a prohibition against the return of Albany to Scotland. To this it was observed that by Act of

[1] State Papers (Henry VIII.), iv. 409-13, 443.

Parliament the government was put into such hands that it could not be administered by him. To that Act made by their own Parliament they would submit; but the Estates not having thought it necessary on their own independent judgment to exclude him from the country, this thing was not to be done at the instance of a foreign power. They took further umbrage at a clause requiring that the Scots lords "should be obliged to treat honourably the king's highness their sovereign." This was but their loyal duty, for which they were accountable to their own tribunals, and it became them not to accept of the bidding of a stranger to conduct themselves as good citizens.[1]

During these negotiations there were internal events of moment. A dash of the ludicrous is thrown on them by the influence of the queen's wayward loves and hatreds. After much trouble she accomplished, in the year 1528, a divorce from Angus. She had to encounter great obstacles in its pursuit. When first she proposed to seek it on the usual ground of divorce—the husband's criminal infidelity—she got a friendly warning that he might retaliate, and she abandoned that course, leaving her friends to form their own inferences. How desperately she grasped at anything that would accomplish her object is shown in the next plea started by her—it was, that she was not a widow at the time of her marriage, for her husband, King James, had survived the battle of Flodden and lived for three years near Brankstone. Another plea was that Angus himself had a wife before he took her. On this ground the Chancellor Beaton pronounced a divorce; but she obtained one, at last, in a

[1] State Papers (Henry VIII.), iv. 433-35; Fœdera, xiv. 278.

more acceptable shape, through the plenary power of the Pope. The new object of her erratic affections was a young hanger-on about the Court, Harry Stewart, a son of Lord Evandale. The queen made great efforts to raise him to a high appointment. He does not appear on the list of the officers of state, yet his vehemently loving mistress seems to have thought that she could command offices for him by laying hold on their insignia, for we find it stated by Norfolk in 1524, that "Henry Stewart had of late in keeping the great seal, the privy seal, and the other seal called the quarter seal, and the signet, and also occupied the office of treasurer, and doth rule as he will, to the great grudge of all others.[1]

Meanwhile the queen's attachment had less influence on events than her hatred, which had been for some time successful in keeping at a distance her potent husband. This was exceedingly provoking both to her husband and Wolsey, from the value they put upon his services. The Earl of Arran, as the nearest resident relation of the royal family, was nominally the leader of the Government, unless in so far as the queen professed to rule. He was a fair man, and acceptable to the English; but we find Wolsey, when baffled in his designs to send him Angus, as a colleague, speaks of the latter as one "who may and will do more service to Scotland to the benefit of the king his master and the king's contentment than five Earls of Arran can do."[2]

King Henry found it inexpedient to retain Angus in England, and left him to his course. He arrived in Scotland soon after the emissaries or ambassadors. He professed to be extremely moderate in his desires,

[1] State Papers (Henry VIII.), iv. 148. [2] Ibid., 198.

paid all humble duty to the queen, and agreed to meddle with nothing, but abide in quietness on his own estates. He proved himself a restless neighbour, however; and the emissary, Magnus, had to tell how one day all in Edinburgh was in confusion, Douglas having brought some four or five hundred men over the city wall.

He made nothing of this stroke; but his opportunity came in 1526, when the young king, being fourteen years old, ceased to be what was called in law a minor pupil, and, if he could not entirely act for himself, might choose his own guardians or protectors of his interests. He chose Angus for one. The Lords Argyle and Errol were to be his colleagues; and we are told that they were to take charge of the king each for a quarter of a year in succession, but that Angus, having the first turn, when the end of the three months came, "would in nowise part with him."[1] Angus was indeed determined to take his full use out of the symbol of power thus placed in his hands. He formed a political league with Arran, and, as the dictator of the joint policy, he exercised an iron rule. The possession was so precious, the risk of its loss so terrible a prospect, that the poor boy was kept in merciless restraint. Some ineffectual attempts were made to release him—one by Scot of Buccleuch was nearly effective. Another was attempted near Kirkliston, by Lord Lennox, who was killed on the occasion. It was a tough contest. The poor boy could not conceal his anxiety for the cause of the liberators, and his reluctance to abide with his keepers; and it is then that Angus is said to have made the savage

[1] Diurnal of Occurrents.

remark, that if his enemies got hold of him on one side, his friends would keep hold by the other, although he should be torn in twain. In the May of 1528 the king was residing at Falkland. Douglas himself, and some of the more important of his assistants, were absent, and the time seemed to have come for an attempt to escape. The king professed to be engrossed in hunting—there was to be a great match, indeed, next day. He managed to get, undetected, to the stable, with two attendants whom he had secured to his interest. The three mounted and rode off to Stirling, where they found refuge within the castle.

Douglas knew at once that his power was broken; nay, that if he stayed in Scotland and strove to retain his estates, he would have a struggle for existence. He was not, however, of the kind who yield readily to fate; and he prepared for determined resistance. He had drawn round himself a large body of supporters among the gentry and lesser barons, and especially among the lawless borderers, by the old national form of Bands of Manrent. Though many of these allies or dependants dropped away when the power to be resisted was the monarchy, yet Angus could muster a formidable army, and he had several places of strength, chief among which was Tantallon, the remains of which attest the feudal power and wealth of its owners—it may be questioned if the king had at that time a castle so strong and well found. Here Douglas awaited the enemy; and for the third time this house was to have a conflict with the crown, and to take strength for resistance from that mysterious source of vitality which twice had brought a new growth of power to sustain the contest for supremacy

in Scotland, after the family seemed irretrievably crushed. Tantallon held out so toughly that the siege was abandoned, and renewed with increase of vigour before it was taken.[1]

Young as King James was—in his seventeenth year—he was as remorseless in attack as his enemy was stubborn in defence. He had been subjected to a long

[1] We have this curious account of the siege from the pen of Angus himself. He writes to Northumberland :—

"My lord, in my maist hertly manere I commend me unto your gud lordschip. And, to certify the sammyn of sic novellis as occurris here, emplesit your lordschip call to rememberance how the king my maister assemblit his army the 18 day of October last bipast, nochtwithstanding the tender and speciall letters the kingis hienes of Eingland directit to his grace in favouris of me, and incontrar the said convocacioun, or assegeing of my house of Temtalloun; at the quhilk he and his army, with artillierie of his awin and of Dunbar Castell, in greit quantite, has lyne and assegit rycht scharply, baith be gunnis and inginiouse men, baith Scottis and Frenche, that myndit the wallis in sic sort that, as can be rememberit, thar was nevir sa mekill pane, travell, expensis, and diligence done and maid for the wynnyng of ane house, and the sammyn escaip, in Scotland, sen it was first inhabit. And apone Weddynnisday the ferde of November the king removit to Edinburght, bot 16 mylis fra Temtalloun, and left ane band of futmen, and ane cumpany of horsemen, to convoy hame the artillierie. And that sammyn Weddynnisday at nycht, I and part of wele horssit men of myn awin, to the nowmer of aucht score, and levit the lave of my folkis behynd me at Temtalloun, followit in eftir thame; and a litill eftir the mone rysing, or it was day, set apone thame, and has defait thame all, loving to God, baith horsemen and futmen, and slane David Falkconer, principall capitaine of the futmen, the best man of wer was in Scotland on the sey, and was takin be Englismen nocht lang ago. And I have takin ane uther capitaine of the futmen, and has him in firmance. And als I tuk the maister of the artaillie, and wan all the sammyn, and had baith men and artaillierie all in my will and dangar. Bot, because the king my maister is sa neir of blud to the kingis hienes of Eingland, that has done sa mekill for me, and sa gud and graciouse prince to me, and mekill the better be your solicitacioun, I wald nocht dishonour the king here sa fer as to hald his artaillie, bot convoyit the sammyn my selff, whill it was furth of danger; and sufferit the maister of artaillie to pas, and prayit him to commend my lauly service unto my soverane, and to schew his grace that I have bene trew servand and subjett to the sammyn."—State Papers (Henry VIII.), iv. 521.

succession of exasperating humiliations, and he determined to repay them in the unforgiving spirit which is one of the forbidding features of his race. He went thoroughly to the work, like a schoolboy who has got the better of a tyrant master—with the difference that, instead of barrings-out, and castings-about of inkstands and rulers, there were all the miseries of war. Throughout, the king's determined exercise of his newfound power oscillated with the petulancies of the schoolboy. When he heard that King Henry had interposed to recommend some moderation in his resentment, he fell a-crying on the thought that his dear uncle should have been more mindful of Angus than of himself.

Angus was stopped at once from any possible conference, by proclamations prohibiting him and all his adherents from approaching within six miles of the royal presence. Then, in Parliament, proceedings for forfeiture of estates were taken in ample form.[1]

Acts of Parliament are sometimes empty words to the commander of an army; but the Parliamentary forfeiture was equivalent to the ranking of a great volunteer force against the rebel leader. It in reality subsidised with large remuneration all those who had the prospect of succeeding to his forfeited estates. For all the power and impetuosity of his enemy, the Douglas kept stubbornly at bay, still holding out Tantallon. In the end, however, the crown was too strong for the subject, and Angus took refuge in England. He was received with all hospitality and honour by King Henry. But if he expected that his cause would be taken up as a quarrel by England,

[1] Act. Parl., ii. 324-28.

he was mistaken. He had no chance of help in that quarter, unless there had happened to be other ground of quarrel with Scotland, which would have made it useful to employ him. The thoughts of the English Government were at that time turned abroad. He was only a fugitive—unfortunate, but distinguished — and as such he was received with kindness; nay, some remonstrances were made in his favour, but as it was found that the young king, flushed with the sense of his new power, seemed obdurate, they were not pushed.

In the midst of this contest, in the year 1528, came an event little noted at the time, yet destined to hold, in the estimation of after times, a place more important even than the fall of the house of Douglas. Again the ecclesiastical authorities handed over a convicted heretic to be put to death by the civil power. The sufferer was named Patrick Hamilton. He belonged to a family which had influence enough to procure him one of the lay benefices of the Church, and he was by title Abbot of Fern, in Ross-shire. Knox tells us that he went to Germany, and, sitting at the feet both of Luther and Melanchthon, "did so grow and advance in godly knowledge, joined with fervency and integrity of life, that he was in admiration of many." He is usually called the Proto-Martyr, as he was the first who was both a native Scotsman and a sufferer for the Reformation opinions in the shape in which they afterwards gathered strength in Scotland. As in other instances of ecclesiastical denunciation, we have nothing to tell us the nature of the process against him. It has been told by later writers, but naturally with vehemence; and

the whole history has been surrounded with picturesque traditions, which only render it the more to be regretted that we have little of the facts. Only of the sad end we can have no doubt—that he was burned to death before the old College of St Andrews. Knox tells us that "the articles for which he suffered were but of pilgrimage, purgatory, prayer to saints and for the dead, and such trifles—albeit that matters of greater importance had been in question, as his Treatise, which in the end we have added, may witness."[1]

This treatise, indeed, is at once seen to have an important and emphatic reference to the essential doctrines of Protestantism in the shape in which they became afterwards prevalent in Scotland. It announces the doctrine of the atonement, repudiating the notion that good works can be the means of gaining salvation, since such a doctrine would lead to the inference that man can buy his salvation, and the creature strike a bargain, and keep it, with the Creator. But in Hamilton's treatise a gap is left, which had in later times to be filled up that the doctrine might be logically complete. He says nothing to contradict the opinion that the atonement was for all mankind. The universal paradise thus opened was afterwards narrowed by the doctrine of election, with its corollaries, that the elect are pure by virtue of their condition, and that sin is an outward symptom of non-election. Thus were, in a manner, reconciled the doctrine of the law and the doctrine of the atonement. By the one, purity of life was the cause, by the other it was the effect, of salvation.

The struggle with Angus brought the king into con-

[1] Laing's edition, i. 17.

flict with the borderers. Many of them were vassals of the house of Douglas, so far as they admitted vassalage to any one. With others, again, that house held a sort of diplomatic position—it was convenient for them to be allies. In fact, the king found there a sort of independent state rising and strengthening itself, and he determined that this should not be. The growth of the border community was special. It had gradually arisen when the quarrel broke out between England and Scotland in the War of Independence. We have seen that England held territory within the present bounds of Scotland down nearly to the sixteenth century. This territory was rescued from the English Government, not by national war and treaty, but by local contests, in which the Douglases, or other eminent Scots families, drove the English power from one district after another. There was a natural feeling that what was thus acquired belonged to the victors by a title more independent than a feudal holding of the crown. On either side, the royal writs, whether coming from the chancery of England or of Scotland, met with scant respect. There was little spirit of nationality on either side. The English wardens took care that if those they were set to watch were to go a-plundering, it should be rather in Scotland than in England; and the Scots wardens reciprocated this policy. But except that it was safer to pillage on the other side than among their own countrymen, there was hardly a sense of nationality. At Flodden the English borderers pillaged the English army as readily as the enemy's.[1]

[1] Weber's Flodden Field, 207. In the despatch on the battle alluded to above (page 246) there had been the following passage, afterwards scored

The influences at work in separating this district were, in a modified shape, the same with those which made the Continental Margravates. The territorial chiefs, to whom it fell from local conditions to be the defenders of the borders of the empire, became so powerful that they established principalities holding rank with the secondary German states. The most powerful of the border chiefs—the Armstrongs—seem to have felt something like princely power. A large portion of the territory over which they held rule or sway was acknowledged to belong to neither kingdom, by its name of "the Debatable Land." Indeed, in treating with England for peace on the borders, the Scots representatives were obliged to plead that the crown had not full control over the territories of the Armstrongs—that they were not "in due obeissance;" and when it was demanded that certain English subjects known to be imprisoned within their territory should be released, the Scots Government could not come under any absolute stipulation on the point, and could only promise that "they would endeavour themselves, for so much as in them is, that the said prisoners should be freed and put at large."[1]

It was only in the nomenclature of the law that the house of Armstrong were subjects of the King of Scotland. On a small scale, their position resembled that of the old kings of Scotland towards England—holding independent rule in one part of the island, and possessing

out:—"The borderers not only stole away as they lost four or five thousand horses, but also they took away the oxen that drew the ordnance, and came to the pavilion and took away all the stuff therein, and killed many that kept the same."—Calendar of State Papers (Henry VIII.), i. 668.

[1] State Papers (Henry VIII.), iv. 424, 425.

other territories as feudal holdings. It was rather by policy than duty that the Armstrongs were attached to Scotland. It would not suit their position to be at war with both countries, so they made England the sufferer by their predatory incursions. Though they were thieves in the nomenclature of Holyrood and the Tolbooth, they were, in their own estimation, powerful leviers of tribute; and if they paid unwelcome visits to those who refused to pay them black-mail, this was but the way of all leviers of taxes who distrained the goods of defaulters. The head of the house of Armstrong seems to have considered himself more in the position of an ally than a subject of the King of Scots.

When King James approached with his army of eight thousand men, it appears that the chief went forth to meet him amicably, and with the amount of deference which a small potentate would pay to a great. He had with him a train of twenty-eight men well mounted, called in the chronicles "gentlemen." "So," as we are told in the Pitscottie Chronicle, "when he entered in before the king, he came very reverently, with his foresaid number very richly apparelled, trusting that, in respect he had come to the king's grace willingly and voluntarily, not being tane or apprehended by the king, he should obtain the mair favour. But when the king saw him and his men so gorgeous in their apparel, and so many braw men under ane tyrant's commandment, throwardlie he turned about his face, and bade take that tyrant out of his sight, saying, 'What wants yon knave that a king should have?' But when John Armstrong perceived that the king kindled in ane fury against him, and had no hope of his life, notwithstanding many great and fair offers

whilk he offered to the king—that is, he would sustain himself with forty gentlemen, ever ready to await upon his Majesty's service, and never to take a penny of Scotland or Scotsmen. Secondly, that there was not ane subject in England—duke, earl, lord, or baron—but within ane certain day he should bring any of them to his Majesty, either quick or dead. He, seeing no hope of the king's favour towards him, said very proudly, 'I am but ane fool to seek grace at a graceless face; but had I known, sir, that ye would have taken my life this day, I should have lived upon the borders in despite of King Harry and you both; for I know King Harry would downweigh my best horse with gold to know that I was condemned to die this day.'"[1]

Other accounts give an element of treachery to the affair, saying that the Armstrongs were lured into the king's army by a promise of safety. But Pitscottie's account tallies best with the conditions, and represents the proud, passionate young king as enraged at the presumption of one who, in the law language of the day, was a border thief, and determined to extinguish him. The chronicles and the ballad literature of Scotland treat the affair with the sadness pertaining to the fall of power—to its fall by unworthy means. Philosophical historians, again, have little sympathy with the extirpation of a band of robbers, however princely they might affect to be: the means might not be commendable, but the deed in the end had a balance of good. There are appropriate ways of doing things, however; and to treat the ruler, even though his subjects may be ruffians, as we would a footpad, is not appropriate or

[1] Pitscottie, 342, 343.

politic. Till within the memory of man, some states on the Asiatic side of the Mediterranean were supported by plunder; yet if a European force managed to get possession of a Dey of Algiers or Tunis, or even of his prime minister, it would hardly have been appropriate to treat him as a Tom King or Jack Sheppard. The Armstrongs, in fact, counted themselves leviers of tribute rather than plunderers, and seem to have prided themselves on the good rule they held over their lawless set. Yet the entry in the record of the form of trial to which they were subjected is briefly, "John Armstrong, *alias* Blak Jok, and Thomas his brother, convicted of common theft and reset of theft, &c., hanged."[1]

A power that seemed likely to grow into a separate principality was thus broken, and far more easily than that of the Lord of the Isles. The elements of influence, prevented from centralising, dispersed themselves, and were sufficient to create several eminent houses; so while the Armstrongs were hanged, the families that succeeded to them in border influence, the Scotts and the Kerrs, waxed in power and wealth until they became ducal houses. It was probably all the better for the peace and loyalty of the borders, that the power and leadership that arose among them, as by a law of nature, should rather be allied to the hierarchy of the State, than be left to fight their own battle, with the alternative of an independent principality or the halter. At all events, the immediate influence of the king's strong measures was not hopeful. Nothing so exasperates a high-spirited people as injuries of a con-

[1] See a selection of documents on the fate of the Armstrongs in Pitcairn's Criminal Trials, i. 152* *et seq.*

tumelious and humiliating kind, done on those whom they think fit to acknowledge as their leaders and commanders. We shall presently see that the district offered its allegiance to England. For some years after these rigorous measures there never had been so much crime on the border, if we may judge from the angry controversy of the two governments, each accusing the other of permitting or countenancing continual oppressions, murders, riefs, and spoliations. Against all this wild work, since the hand of man was found to be an ineffectual check, resort was had to other powers, which did not, however, prove very effective. They probably were of no more use than to leave a characteristic type of the age. This remedy was a general excommunication of the offending borderers—a cursing, as it was expressively called in Scotland. It was issued by the Archbishop of Glasgow. It was not kept shrouded in Latin, but, for the benefit of those concerned, was translated into the vulgar tongue. It stands forth as a very brilliant specimen of the rhetoric of scolding. As it is levelled, not against persons named, but against all those belonging to an indefinite community who come within its scope, it affords a more than usually emphatic example of a comprehensive effort to accomplish a favourite object of the Church.[1]

Meanwhile the Government found in another direction powers tacitly consolidating in a manner likely to disturb the authority of the crown. The discovery is a signal instance of the vitality of political influences, and their power of growth in a new shape after the

[1] This document will be found cited further on in reference to the influence of the secular powers and practices of the Church.

old has been cut down. We have seen the continued and stern efforts of the crown to deprive the Celtic races of the north and west of all central leadership. They were not only broken up into several chiefships, but over these certain potent neighbours belonging to the nobility of Scotland had powers of influence and control. The Islands and the Western Highlands had been put under the management of the house of Argyle. The usual quarrels among rival clans and chiefs had been going on, and the Earl of Argyle seemed to be busily and earnestly employed in the duty of suppressing them. The Highlanders retaliated with inroads on the valuable possessions of Argyle on the Firth of Clyde. This aggravated a special cause of wrath given to the house of Argyle by a domestic wrong. One of the most powerful of the Island chiefs, Macleod of Doward, got to wife the Lady Elizabeth, daughter to the second Earl of Argyle. They quarrelled, and the husband's method of retaliation on his wife was by carrying her out to sea at low water and placing her on a rock between Lismore and Kells, where the rising tide would have drowned her had not she been saved by boatmen accidentally passing. Amid countless acts of ingenious cruelty and subtle vengeance forgotten in the history of these wild districts, the story of the wife of Doward has been selected for commemoration in tradition and literature, because the intended victim belonged to a baronial house accustomed to, and holding in respect, those principles of chivalry of which the cruel treatment of a woman was so odious a violation. The notice of the Privy Council was drawn to the whole affair by the high powers which Argyle requested for the suppres-

sion of the Highlanders—for bringing them to submission, or, if they would not submit, extirpating them root and branch. This was no doubt a desirable object, likely to tempt the Government to be pliant; but the powers sought were unusual, involving the levy of the feudal array in several of the southern Lowland counties, and placing the army so collected in the hands of Argyle as the Lieutenant of the Isles. The Council demurred about the granting of such powers. Argyle pressed them with accounts of further outrages and commotions. It was then decided that, since the outbreaks in the Highlands were so very serious, it would be proper that the king himself should lead an army for their suppression. Whether it was that Argyle did not like this design, or that it frightened the turbulent leaders into quietness, such reports came of the amended state of the district that it was thought unnecessary for the king to march against it. It happened, whether from policy or accidental cause, that communications passed directly between the Council and the heads of clans, instead of all official business in the shape of threat or otherwise passing through the hands of the Lieutenant. Both parties thus seem to have found each other reasonable; at all events, the chiefs ceased to be afraid to visit the Court. One of them showed the suspicions which the recent policy had nourished by declining to go unless the Government took hostages from Argyle for his safety. Such things suggested that the Lieutenant's power was becoming formidable to the crown. Argyle presented a heavy complaint against one of the most powerful of the chiefs, Alexander of Isla, called M'Ian, to whom the Government had been showing some favour, or at least

toleration. Alexander was summoned to the Court; and to the astonishment, if not dismay, of Argyle, he obeyed and went. His revelations were such that Argyle was deprived of his lieutenancy, and even for a time imprisoned, and the crown took the government of the Isles and Western Highlands into its own hands—an arrangement which made it necessary to take John of Isla and other chiefs into confidential communication with the Government. The lieutenancy which had been held by the house of Argyle was not transferred to another. Certain engagements were taken by John of Isla and others, which seemed to render such a high officer unnecessary. On the vital question of the money interests of the crown in these districts, the Council were satisfied with obligations by the chiefs to collect and forward the feudal dues of the crown and the ecclesiastical taxes.[1]

This Highland revolution spread suspicion and anger among the great Lowland houses. It was not in their nature to think of it as involving a question about the good government of a district. They looked to it solely as the house of Argyle and the interests of the aristocratic order were concerned. Had the head of another great house been appointed to supersede Argyle, the change would have been an event in the natural ups and downs of a restless aristocracy; and if one set of friends was lost to the crown, another set was secured. But treating with the Highlanders was a sort of treason—it was as if an Indian viceroy were to pass over the eminent Europeans sent to serve as his counsellors and high officers, and put their duties into the hands of native chiefs. The English Government, then on the

[1] See the authorities in Gregory, 128-42.

look-out for deserters from Scotland, thought Argyle, and another who had suffered with him, might be secured; and we find Northumberland giving this rather exaggerated account of the matter to his master: "The King of Scots hath plucked from the Earl of Argyle, and from his heirs for ever, the rule of all the out isles, and given them to Mackayn and his heirs for ever; and also hath in like case taken from the Earl of Craufurd such lands as he had there, and given the same to the said Mackayn—the which hath engendered a great hatred in the said earl's heart against the said Scottish king."[1]

In fact, this was only one exhibition of the policy or temper, or whatever else it might be, that prompted the young king to pull down the predominant aristocratic houses. He who had lived among them in infancy had taken an umbrage at their greatness, like that of his ancestor James I., who had been trained in another country. In both instances the essential cause was the same—no restraining power in the crown to check the local aggrandisement of the great leaders. One like Louis XI. of France might have dealt with this difficulty by sapping the offending influences, one after the other, slowly and silently, but surely. But James was a man of a different nature, who went right at his object, openly and passionately. On the other side he was met as directly, in some instances, by a cool transfer of allegiance to England. That Angus should have joined the English king was to be expected—it was a step consistent with the traditions of his house; and he had not only been despoiled of everything, but driven out of Scotland. But he was not alone. We

[1] State Papers (Henry VIII.), iv. 616, 617.

have the history of another apostate, told in very distinct terms by Northumberland to Henry VIII. It is that of the Earl Bothwell, the father of the renowned husband of Queen Mary, of whom Northumberland says: He "is of personage, wit, learning, and manners, of his years as toward, and as goodly a gentleman as ever I saw in my life, and to my simple understanding he is very meet to serve your highness in anything that shall be your most gracious pleasure to command him withal." To make the case logical, Northumberland first masters Bothwell's tale of grievances; certain lands had been taken from him and given to the Kerrs; he had been judicially harassed, imprisoned, and he was threatened with further proceedings, which might cost him his life. Then Northumberland says:—

"And touching the second article in your most gracious letters, as to know what he would do for revenging his displeasure, or releasing of his heart and stomach against the said Scottish king, the said earl doth firmly promise (your highness being his good and gracious prince, and helping him to his right, setting him forward, and advancing him as his service may deserve hereafter to be done in the realm of Scotland) shall not only serve your most noble grace in your wars against Scotland truly, with a thousand gentlemen and six thousand commons, but also become your highness's true subject and liegeman.

"And thirdly, to know what likelihood of good effect shall ensue hereof, the said earl doth say, remembering the banishment of the Earl of Angus, the wrongful disinheriting of the Earl of Craufurd, the sore imprisonment of the Earl of Argyle, the little estima-

tion of the Earl of Murray and the Lord Maxwell, the simple regarding of Sir James Hamilton for his good and painful service, he puts no doubts, with his own power and the Earl of Angus's (seeing all these noble hearts afore rehearsed be withdrawn from the King of Scots), to crown your grace in the town of Edinburgh within brief time."[1]

This was speaking plainly and to the point. The term treason is of very fugitive application, but surely we have got it here. Whether it be perpetrated by mere machinations against a reigning dynasty, as some would say, or we take the wider view of others that it should imply injury or danger to the liberties of an independent country, its elements are fully supplied by these "great hearts." Soon afterwards, in October 1532, Northumberland writes that the king's unpopularity among his nobles increases—none of them will do his evil work; he is afraid to move about among them, and to collect an army to meet an invasion from England would be impossible. He gives, at the same time, a peculiar and encouraging piece of intelligence. The borders—the Armstrongs' country especially—will not resist an invasion. They are to "stand aloof, bearing particular signs to be known by," and if the invasion be in sufficient force to insure their safety, they are to join it, giving their allegiance to King Henry.[2] This statement courts comment. We have seen more than one occasion on which the great houses have offered themselves to the national enemy. But throughout all the mass of documents bearing on the relations between the two countries, this is the only one in which any reference is made to a portion of the people as likely to

[1] State Papers (Henry VIII.), iv. 597, 598. [2] Ibid., 619.

change their allegiance; and the statement comprehends only that district which really had but a merely nominal allegiance to change. Light as was the character they had to lose, however, they could have pleaded on the letter that, for all the injuries they had suffered for King James, and all the opportunities they might have of helping the enemy, they did not, at least to any appreciable number, perform the service to which Northumberland had pledged them.

If any came over, there was no reluctance to receive them—indeed, there are traces of sedulous care to look after all that could be gained over. Thus we find King Henry giving special instructions to the Earl of Rutland, "that the said earl shall entertain all the Liddesdalers and other Scottishmen which have or shall show themselves willing to serve the king's majesty—doing the same, nevertheless, as nigh as he can in such secret or discreet sort, as neither they take any advantage—of espial or otherwise—of him, or of the king's majesty's subjects by that means, nor that it be noted and known that he procureth them further than themselves shall seek and offer; albeit he may therein use all his wisdom and dexterity either to win them, or to stay them for the time, as he shall think may best serve to his majesty's purpose." [1]

Although the proof is indubitable that at that time several of the great barons agreed to change their allegiance, it is not quite clear that they could have taken with them a force sufficient to make their aid of much value. Douglas, a man of indefatigable activity, was panting for vengeance against his old country, and wearying Henry and his advisers with the perpetual

[1] State Papers (Henry VIII.), v. 212.

cry of "On! on!" Could he have commanded the fine army that implicitly followed him through good and evil before he was tainted by alliancé with England, and could Bothwell and others have brought in aid what they promised, there would have been a formidable strengthening of an English invasion.

Perhaps it was by way of trial how far such aid was available, that, in the winter of 1532, Northumberland gave obedience to his king's "most dread command" "to invade the realm of Scotland, and there to destroy, waste, and burn corn and towns to their most annoyance." The south-eastern counties of Berwick and Haddington were selected as the most available for this raid, the chief object of which was the Tower of Dunglas, where had been stored from other districts "great multitude of goods, corn, and cattle." "And so," says the leader, "upon Wednesday at night, being the 11th day of this instant month, I did invade the realm of Scotland at the hour of eleven of the clock, being accompanied with your highness's whole garrison here, and other your subjects in Northumberland; and upon Thursday before day did send forth two forays, wherein was George Douglas and Archibald his uncle, and in the breaking of the day they did raise the fire in Dunglas, and so burned, destroyed, and wasted the said town and corn there; and in their forayings the towns and corn of Oldhamstocks, Coldbrandspath, the two towns of Hoprig, Old Camus, and the towns of Reidtlaws." And in the end, "thanks be to God," the parties united and returned without loss or hurt, there "not being one peel, gentleman's house, nor grange unburnt and destroyed." There is an inventory of the plunder summed up at "2000 nolt and

above, 4000 sheep and above, with all the insight, coin, implements of husbandry, esteemed to a great sum." Northumberland was very proud of this, as unequalled within the memory of man, and concludes the narrative thus: "And immediately after the day was gone did come to your highness's town of Berwick, loved be God, to the great annoyance of your grace's enemies, and to the safety of all your highness's subjects, without hurt or harm of any one of them, and to my comfort. I shall pray that the same act may be accepted to your most noble contentation, which hath not been done afore at any time as by the memory of man can be known."[1] But it was a raid and nothing more. Angus and George Douglas were in it, but nothing is said of any followers coming to them, though the expedition must have passed close to, if it did not enter, the most valuable part of their old dominions. The most, indeed, that Northumberland has to say for the adherents of the banished earl is, that they were shy of attacking the English force; while he complacently observes that the zeal of Angus in aiding the English raid will put him at utter feud in Scotland.[2]

There was retaliation for this, and in the general

[1] State Papers (Henry VIII.), iv. 627-29.

[2] "And for the service of the Earl of Angus, Archibald his uncle, and George his brother, I assure your grace was attended in their persons, highly to your highness's honour, and to their utter feud in Scotland. And also, as I am informed, the Lord Home was purposed to have given us setting on at Billy Myre, a great strait, which when he was so fully determined, my Lord of Angus's friends said plain they would not adventure their lives against a battle so well furnished and ordered; upon which they all went from the Lord Home, leaving not past 1000 men with him, upon which he never came nearer unto your highness's army than is aforewritten."—State Papers (Henry VIII.), iv. 629.

confusion on the borders it was impossible to say which was the first aggressor, England or Scotland. In the controversy, however, a curious incident was brought up against the Scots side. Under the command of Alexander of Isla, a force of Highlanders, first numbered at four thousand and afterwards at seven thousand, had gone over to Ireland to assist "his majesty's Irish rebels." King James professed to know little about the matter, and lightly observed that they were probably poor starving creatures, who had crossed the channel in the hope of getting sustenance; but it was observed that the affair had occurred when there was danger from England, and just after the king and his council had taken the management out of Argyle's hands and into their own.[1]

These contests and difficulties were brought for a time to an end by a conference for a peace—an actual peace, to supersede the mere cessations or armistices, which had made intervals of uneasy rest on the borders. To this conference the Scots commissioners brought the French ambassador, Monsieur de Bevois, as their friend and assistant. In the conference there was protracted debate, and many adjournments, on account of a difficulty, small in itself, but obstinate from its foundation in national pride. England had taken and then held the Castle of Edrington—called in the conferences Caw Mills—in Berwickshire, and within the marches of Scotland. The Scots commissioners would not treat unless it were a fundamental condition that the Caw Mills should be restored to Scotland. The English commissioners said they were not empowered to abandon anything, and tried to persuade the Scots

[1] State Papers (Henry VIII.), iv. 612-16.

to reserve the question. These were resolute, however; and the commissioners, referring to their king, found him equally obstinate. They told him that, let the treaty be what it would, it was impossible to keep the Caw Mills in time of peace, and when there was no English army on the border. "The Scots at all times be in such readiness" that five hundred men in the neighbourhood could collect a force of five thousand strong for the "stealing" of the Caw Mills, and that within twenty-four hours, while England could not gather a defending force in less than four or five days. The English commissioners were at last instructed to give up this conquest, but the difficulty about it delayed the completion of the peace down to the summer of 1534.[1]

[1] State Papers (Henry VIII.), iv. 645, 648-50, 654, 656, 658, 659, 673.

CHAPTER XXXIII.

James V.

(*Continued.*)

SCOTLAND IN RELATION TO THE OTHER STATES OF EUROPE—KING HENRY'S ANXIETY TO BRING HIS NEPHEW TO THE TRUTH—WANTS A MEETING—SUSPICIONS ABOUT HIS INTENTIONS—POLITICAL SPECULATIONS ABOUT THE MARRIAGE OF THE KING—GOES TO FRANCE—HIS DISTINGUISHED RECEPTION THERE—MARRIED TO MAGDALEN OF FRANCE—HER DEATH—MARRIED TO MARY OF LORRAINE—MYSTERIOUS TREASON TRIALS—THE FATE OF THE LADY GLAMMIS—BURNINGS FOR HERESY—SYMPTOMS OF THE INFLUENCE OF THE NEW DOCTRINES—STAGE PERFORMANCE AGAINST THE CLERGY—AN ACT OF PARLIAMENT ON HERETICS AND THE INTERNAL ABUSES OF THE CHURCH—CLOSE WATCH KEPT BY HENRY VIII. ON THE DOINGS IN SCOTLAND—SIR RALPH SADLER—KING JAMES BUSY WITH FORTRESSES AND FLEETS—A PROGRESS AMONG THE WESTERN ISLES—DOMESTIC CALAMITIES IN THE KING'S FAMILY—THE GREAT LANDOWNERS—THEIR APPREHENSIONS FROM THE CROWN—REVOCATIONS OF GRANTS—KING HENRY AGAIN WANTING A MEETING—KING JAMES BREAKS HIS ENGAGEMENT—SUSPICIONS OF HENRY'S INTENTIONS—KING HENRY'S PROJECT FOR KIDNAPPING KING JAMES—WAR—THE AFFAIR OF SOLWAY MOSS—THE BIRTH OF QUEEN MARY—THE DEATH OF KING JAMES V.

We now approach the time of the young king's marriage. It was preceded by diplomatic conjectures and suggestions, in some cases partaking of the nature of proposals, which are valuable as showing the position held by Scotland among the European states. Times

had changed since the boy was flattered by talk about marrying "the Lady Princess," and becoming King of England. The quarrel with the Pope, and the marriage with Anne Boleyn, had come to pass. A large royal family, male and female, was among the probabilities for England. The Princess Mary, as in the eyes of some the only legitimate daughter and sole heiress, was a position round which some desperate political games might hereafter be played; but the prospect of James and Mary peacefully succeeding to the two crowns was all over. It is on his contemplating such a future that Henry's conduct has been vindicated. It was a future avowedly charged with many risks; and the prospect even of its success was, it is said, odious to the English people. Thus the great temptations to the match were gone, and there were special difficulties on the side of Scotland. The institutions of the country were still untouched by the new doctrines, and thoroughly Popish or Romish. The young king was in close alliance with the Beatons and other high priests. It was not so much a religious, as a political alliance. He was at variance with his chief nobles, and he leaned on the churchmen for advice and the transaction of business. He found them abler men than the lay lords, better scholars, and more acquainted with the world, especially that world across the seas with which the interests of Scotland were about to be so intimately connected. Thus the king came into the hands of the ruling clergy. Barlow, the English resident, speaks of "the whole council, which are none else but the papistical clergy."[1] These had an objection—a terror, it might be called—of an alliance with the house of the arch-heretic.

[1] State Papers (Henry VIII.), v. 36.

Hence, among the anomalies of that convulsive time, one was that the cause of Rome was believed to be in danger from that too celebrated Mary of England—the "mischievous Mary of the Spanish brood," as Knox called her—the "Bloody Mary" of the popular histories. The powers of Europe were arraying themselves on either side for the coming struggle, and the part to be taken in it by so warlike a country as Scotland was a matter of great moment. Hence the King of Scotland was much courted, and the question of his marriage gave a good deal of work to the diplomatists. His uncle, while secretly preparing to do Scotland all possible mischief at the right time, was, in externals, gracious and coaxing. With much fuss and ceremonial he sent the Order of the Garter to the King of Scots, who presently afterwards received the more distinguished Order of St Michael, and from the Emperor the most illustrious of all orders, the Golden Fleece. There was something like a promise from the Papal Court that he should be promoted to the office of Defender of the Faith, vacant through the flagrant misconduct of its late holder; but we do not find that any formal commission was issued to the King of Scots like that celebrated Bull conferred on his uncle.[1]

[1] King Henry seems to have been very touchy about the retention of the title, even after he had abjured the giver of it. If his master did not feel sore on the matter, Sir Thomas Wriothesly, the secretary of state, would not have made the following odd comment on a little tract printed in Scotland, in which the title, with a change strongly commented on, is given to King James :—

"And also it shall like you to understand that upon the arrival of the said Mr Sadler there were conveyed hither from Scotland sundry little books imprinted, and amongst others one entitled 'The Trumpet of Honour,' wherein, in the very titling in the first front of the book, the king your master taketh upon him a piece of the title of the king's majesty, being the king your master therein called Defender of the

A special legation, however, communicated to him the Papal benediction, along with "a cap and a sword, consecrated on the night of the nativity of our Saviour, which the fame of his valour and many Christian virtues had moved his master to remunerate him with —also that it might breed a terror in the heart of a wicked neighbouring prince, against whom the sword was sharpened."[1]

These things were accompanied by an exhortation to the King of Scots to come forth as the champion of the Church against his uncle, described to him as "one who set at naught the censures of the Church—an heretic schismatic, a shameful and shameless adulterer, a public and professed homicide murderer, a sacrilegious person, a church robber, a rebel guilty of lese majesty divine, outrageous, many and innumerable ways a felon and a criminal, by all laws herefore justly to be turned out of his throne."[2]

A scene was reported to Henry VIII. by Northum-

Christian Faith, whereby his majesty should have great cause to think more than unkindness, if he would willingly take his title upon him. And the conjecture is the more pricking, because he added thereto the Christian Faith, as though there should be any other than the Christian faith, which seemeth to have another meaning in it than one good prince can have of another, much less a friend of his friend, or a nephew of his uncle, if he would show himself to esteem his friendship. Wherefore, taking your good lordship to be a man of good, and well inclined to the preservation of peace and quiet between these two realms, I thought meet to advertise you of the two points before mentioned, to the intent that you may furnish yourself now, at your coming hither, with such instruction, as in your answers to the same you may mollify those matters in such sort as may be to the king's majesty my master's satisfaction, and to the increase of the amity between his highness and his good nephew the king your master, which I shall for my part again advance to my best accordingly."—State Papers (Henry VIII.), v. 191, 192.

[1] Drummond, History of James V.

[2] There seems no better authority for this than Drummond of Hawthornden, but it commends itself to belief as in the true apostolic style.

berland early in the progress of the quarrel with Rome. The young king was closeted with the Emperor's ambassador.[1] When the ambassador had gone, the king stepped into his outer chamber or anteroom, and cried out to the lords assembled there—among whom was the traitor Bothwell, who reported the scene—"My lords, how much are we bounden unto the Emperor, that in the matter concerning our style, which so long he hath set about for our honour, that shall be by him discussed on Easter-day, and that we may lawfully write ourselves Prince of England and Duke of York;" to which the chancellor said, "I pray God I may see the day that the Pope confirm the same."

This, if it meant anything at all, meant a great deal. Either it was the babble of a vain youth, who mistook the tenor of empty compliments, or it went deep into the very vitals of the political organisation and the political action of all Europe. At that period the political readjustments usually limited to the dreams of crazy visionaries, were entertained as practical possibilities by sagacious, far-seeing men. The "Holy Roman Empire," in its etiquette and official phraseology, was still the Empire of the civilised world. Down to the Reformation, England had been loyal to the spiritual department of the Empire, though in the end she had been undutiful, adopting devious courses. There were men who thought a time had come for such resolute action as should put the world in order again, and realise the old principle of unity, "one God, one Emperor, and one Chief Priest." With these it was to come to pass in the ordinary course of events that the

[1] He is called Peter van Rosenberg, and it is said that he was "a Scotsman born."—State Papers (Henry VIII.), iv. 598, 599.

wicked Henry should be deprived of his authority, and they would feel quite justified in enticing the King of Scots to look to the vacant throne of England as the reward of patient perseverance in welldoing.

King Henry, on the other hand, showed himself urgent and anxious. He brought up two projects—the one that his nephew should go with him to France, on a rather vague-looking errand, to discuss with King Francis general questions affecting the interests of the three nations. The suggestion was distinct on one point, that if the nephew could not afford money for such a journey, the uncle would pay his expenses.[1]

[1] Henry thus directed Lord William Howard to press this matter to William Stewart, Bishop of Aberdeen, as an influential adviser of King James: "For the which considerations, and to the intent that at the said meeting such things may be determined as shall be for the wealth of those three princes, their realms and subjects, the king's said highness (as it becometh all good princes to do), devising how to nourish and entertain love, peace, and unity betwixt prince and prince, and to show the special zeal that he beareth towards his said good nephew, only coveteth and desireth to have his said good nephew present at the said meeting and interview. Which matter the said Lord William shall earnestly propose and set forth to the said bishop; and further shall say unto the said bishop that, in case the said King of Scots can be contented to conform and prepare himself to be at the said interview, it shall be great commodity and pleasure to the king's highness to have his said good nephew, whom he so much loveth and esteemeth, first to enter into this his realm, where he may both lovingly embrace, salute, and welcome him, and also gratify him with such pleasures and commodities as be within his said realm, and so to pass through the same, with such company as shall like him, towards Calais, for the accomplishment of the said interview. And herein the said Lord William shall somewhat press the said bishop so to use his industry, and in such wise to counsel the said king his master, as may best conduce to the attaining of the king's highness's desire in that behalf. And after all those overtures made, in case the said King of Scots, or the said bishop on his behalf, shall say that the said King of Scots is not of hability nor yet well furnished for the said interview, then the said Lord William, on the king's highness's behalf, shall further say, that being none other urgent matter or consideration why the said King of Scots should refuse this interview, so it may please him first to

The alternative was a meeting between the uncle and nephew in England. This was strenuously urged by King Henry, who was extremely angry when he found that the project, which had at first an appearance of success, fell through. From a celebrated letter of instructions to Sir Ralph Sadler, we may suppose that King Henry's object was to talk over his nephew, and bring him to correct notions concerning evangelical truth and the Papal power.[1] To his nephew he put the proposal in this general and attractive shape: "Dearest brother and nephew, because we doubt not but your wisdom doth right well consider that we have not condescended to this meeting for the treating of any matter of importance between us, our amity being already most firmly established, or the compassing of anything that might redound to our benefit and commodity more

enter this the king's highness's realm, and so to pass through the same as is aforesaid, his highness will not only take great pleasure and rejoice thereof, but also so ordain and provide for the furniture of the same meeting, as shall be both for their honours, and with small charges, especially for his said good brother and nephew."—State Papers (Henry VIII.), v. 3, 4.

[1] Instructions to Sir Ralph Sadler, given at the beginning of Sadler's State Papers, and more accurately in State Papers (Henry VIII.), v. 81. We have, at the same time, the following note of the contents of a letter of Henry to his nephew, which probably still exists, but is in an inaccessible repository: "He urges James to renounce the Pope's authority, and seize upon the churchmen's lands. In his instructions to Lord William Howard and the elect of St Asaph (*ad annum* 1535), he directs them, privily and as of themselves, to deal with James, and also with the queen-mother, and, as occasion should offer, with such of the nobility as they may think most proper, to shake off the Pope's authority and seize the Church revenues, for the honour of God, the augmentation of the honour of their sovereign, and the benefit that would ensue to them and the whole realm; but to keep themselves within such limits in the utterance thereof, and so to dissemble, as those with whom they should confer might not fish out the bottom of their breasts; as also, to oppose and dissuade King James from marrying the Duke of Vendome's daughter."—Hamilton Papers, Maitland Miscellany, iv. 69.

than to the satisfaction of our mind and affection, which, for the tender love we bear unto your person, honour, and dignity, hath been desirous to have a mutual conference and a most friendly meeting between us, whereby as either of us with the other should undoubtedly have had great consolation and comfort, nature having his operation and instinct in the same, so should our amity thereby have been, with the corroboration of our presences, much confirmed."[1]

If this was all that he meant, it is safe to say that King Henry never would have taken the trouble which he did take in pressing this meeting. What his ultimate designs were are not known; but we know this, that King James believed the project to be a trick to bring him into his uncle's power. He charged his mother with connivance at the plot. King James had the better part in the controversy about this meeting.[2] He offered to go to Newcastle to meet his uncle; but Henry would have the meeting at York, and professed that his nephew had given something like a pledge to go so far into English ground. Whatever might have been said, however, he was tied up: his council were dead against his consenting to go farther than Newcastle.[3] Beaton was influential in this council. If he was acquainted—as probably he was—with Wolsey's correspondence about himself, he might have found a strong case against the king trusting himself so far into English ground as to be beyond help from Scotland.

The marriage of the king seemed an event only protracted by the multiplicity of choice, and the conflicting

[1] State Papers (Henry VIII.), v. 45.
[2] Ibid., 46. [3] Ibid., 51.

urgency of his many friends. Out of Scotland there were advocates for the match with "the Lady Princess" of England, on the principle of snatching a brand from the burning—to rescue Henry's daughter from the sins and judgments which her father had brought upon the house of Tudor; and on this principle apparently the match was still spoken of by her uncle the Emperor. But there were prospects of other heirs to the English throne. The rescue of the Princess Mary from her fate among heretics lost its importance by a rapid fall in the chances that such an event concerned the destinies of Europe. Another suggestion, apparently by the Emperor, was the daughter of Christian of Denmark; but here there was the same difficulty—the match could only be worked to effectual purpose when Denmark was conquered and brought back to the faith. The Emperor then, we are told, offered his sister, the widow of the King of Hungary, and his niece, Mary of Portugal. As a political question, it was thought desirable at home that, as the English match had dropped out of the question, the king's marriage should be the means of restoring its old strength and closeness to the French league. Mary, daughter of the Duke of Vendome, of the Bourbon branch of the royal family, was finally selected, and the marriage was made matter of treaty by the king's ecclesiastical advisers.[1]

In the thorough spirit of the knight-errantry of the age, James determined to set off to France as a private wanderer, and get a sight of his intended bride. He actually embarked at Leith, but the winds had in store a ridiculous termination to his adventure. It would appear that in any attempt to go southward there was

[1] See the treaty at length, Teulet, i. 91 *et seq.*

imminent risk that he might be driven ashore in England, where the capture of a stray king of Scotland so achieved would have seemed a special gift of Providence. The only other alternative was to keep northward; so he drifted round Scotland, and landed in the Firth of Clyde. He reattempted the journey, but in a more solemn manner, taking with him a body of his advisers, in a small fleet fitted in regal style. The expedition sailed from Kirkcaldy, in Fifeshire, on the 1st of September 1536. There were six ships—one of seven hundred tons burden—and about five hundred people in all. They were seen passing Berwick, where they were the object of lively curiosity to the English authorities. It is from one of these that we have the above particulars, sent with a bearer, who can advertise "more large circumstances in the premises" to the person to whom the information is addressed. That person is "the Right Honourable the Lord Admiral, and, in his absence, Sir Anthony Brown, knight."[1] Of the heap of state papers in which it lies, this is the only one addressed to the Admiral; and why to him? Doubtless it is about nautical affairs; but they were affairs with which the High Admiral of England had no more concern than with the Danish traders in the Baltic. By rank and etiquette the Lord High Admiral was a sailor; but it did not follow that he must be acquainted with navigation, and take so zealous an interest in it that the account of this expedition was sent to him merely to gratify his curiosity and interest in nautical affairs.

When the king reached France, and saw the bride intended for him by diplomacy, his affections turned to another—Magdalen, the daughter of the King of France.

[1] State Papers (Henry VIII.), v. 60.

She had some years earlier been spoken of as a queen for Scotland, but was passed over as too young. She was brilliant to behold, in the hectic beauty of fatal consumption. Whether medical skill could so pronounce at the time or not, it would now pronounce that to remove this fragile flower from sunny France to sterile, stormy Scotland was only hastening its blight. Her father seems to have suspected so much, for he spoke of health as an obstacle to the match; but King James was wilful and in love.

It was the desire of the King of France that every possible distinction should be conferred on the King of Scots. The French Court had at that time, following the example of the Imperial, become crowded with obdurate, unpliable precedents and ceremonials. For these things the monarch who had done most to centralise France had a personal contempt, almost an antipathy. But they tended to preserve his innovations on the nobles and the burgesses by a sort of petrifying process. The record of these sacred institutions was deficient in precedents for a King of Scots come to marry a daughter of France. That august body, the Parliament of Paris, presented a serious memorial against a grievance, insomuch as they were called upon to march in procession in their robes of state before the King of Scots, the presidents in their scarlet mantles and velvet caps. This honour, they affirmed, had never been before conferred on any foreign prince, but belonged solely to French royalty. But they got no redress. The king told them it was his will that the King of Scots, being to marry a daughter of France, was to be treated as a French royalty; and the mortified lawyers had to content

themselves with the consideration that a considerable time might elapse ere they could be again called on to walk before a King of Scots come to marry a French princess. The curious in such things may yet read the *procès verbal* in which the carrying out of the ceremony to the fullest of its details is certified and recorded as a precedent to last for all time coming.[1] It was talked of in the court gossip of the day that the King of Scots received the same honours in Paris as the Dauphin. But he seems, unconscious of his importance, to have gone a-shopping like any young provincial delighted with the gaudy merchandise of a metropolis; and he is described by an observer, not friendly, as "ordering himself so foolishly, with a servant or two running up and down the streets of Paris, buying every trifle himself—he weening no man knows him—wherefor that every carter pointed with their finger, saying, There goes le Roi d'Escoisse!"[2]

The newly-married king and queen sailed for Scotland early in the spring of 1537. An incident was anxiously noticed on their voyage, which at the present day gives us a tantalising momentary glimpse into what may have been political conditions of extreme interest and importance. As the king's escort passed the Yorkshire coast, near Scarborough, certain gentlemen of the district, in the words of the reporter of the scene, "did come aboard the king's ship, and being on their knees before him, thanked God of his healthful and sound repair, showing how that they had long

[1] Teulet, i. 122, 123.

[2] Letters by John Penman, printed in Pinkerton, ii. 490-94. Penman was a partisan of Angus, and had gone to Paris, apparently to try to get some influence with the King of France, to ask Angus's pardon from James.

looked for him, and how they were oppressed, slain, and murdered, desiring him for God's sake to come in and he should have all." On passing another village, there was a like visit by gentlemen of the district, who "made like promises and complaint as the others aforesaid did, promising plainly that, if the said King of Scots would take upon him to come in, all should be his." It was further noted that King James himself, as he neared home, spoke some boastful words about breaking spears with England if he lived a year longer.[1] These meagre notices have no further relationship with distinct political movements than our knowledge that, in the north of England, Romanism was strong, and the chief families ready for rebellion against a Protestant establishment. The incidents have their chief importance from the shape in which they appear. They are collected with great care, and an anxious sifting of evidence, by Clifford; and they are communicated by him in a despatch addressed to King Henry himself.

The royal couple arrived at Leith on Whitsun eve, and were received with such display of welcome as Scotland could afford. But the poor exotic, brought into so chilly an atmosphere, withered fast; and at Midsummer the king buried the wife who had landed with him at Whitsuntide. Her death was followed by an event for which there must have been urgent reasons now unknown. Instant steps were taken for a second marriage. For this purpose an embassy was sent to France. At its head was David Beaton, then Bishop of Mirepaux. Their mission is spoken of as if they had the selection of the king's wife entirely in

[1] State Papers (Henry VIII.), v. 79.

their hands; but we may presume that their master gave them some hints, touching his personal preferences, for their guidance. At all events, they brought over a bride destined to cut a figure in history. She was the widow of the Duke of Longueville, and daughter of the Duke of Guise. It was a memorable alliance; for the house of Guise had begun, and for nearly half a century continued, to play a game in which the stake involved supremacy over the continent of Europe. The marriage was celebrated at St Andrews in June 1538.

About this time there were some trials and executions for conspiracies against the king's life, as to which it will serve no good purpose to be minute, as the key to their origin and connection with passing events is lost. The only significant fact about them is that some of the victims were connected with the exiled Angus. One was the Master of Forbes—that being the courtesy-title of the eldest son of the Lord Forbes—who was married to a sister of Angus. He was charged with a design to shoot the king with a culverin as he passed through Aberdeen to hold a justice air; but it is odd that the annalists of the time give us no account of any general conspiracy, of which such a project might form a part. Another offence charged against him was that he had conspired for the destruction of the Scottish army at Jedburgh—that is, that he was one of those who would not follow Albany into English ground on that memorable occasion.[1] For that offence every one having any command in the large army was amenable; and it is clear that in the prosecution of Forbes this affair was only referred to to give weight to other accusations, and to

[1] See chap. xxxi.

get a punishment inflicted for something quite different from a betrayal of the Scots army. He was executed. Another victim was a far more interesting person. She was the Lady Glammis and the sister of Angus. The charge against her was that she had "conspired and imagined the destruction of the most noble person of our most serene lord the king by poison." Some incidents in the criminal records look as if there had been a set against this lady. She had been charged at an earlier period with the "intoxication" of her first husband—a ludicrous term now, but serious then, for it meant poisoning. That ever there was such a charge against her we only know by jurymen having been fined for failing to attend when she was indicted, as if they avoided participation in the proceedings against her. Naturally it may be said that they should have attended, and acquitted her if guiltless; but the crown had invented a new crime, and prosecuted jurors for acquitting when they ought to have convicted—hence absence was perhaps the safer policy. There are traces of more than one other instance in which she underwent legal harassment. On the final charge, the savage sentence of death by burning was passed on her, and it was carried out.[1] The historian of the house of Douglas says: "She was burned upon the Castle Hill, with great commiseration of the people in regard of her noble blood, of her husband, being in the prime of her years, of a singular beauty, and suffering all, though a woman, with a manlike courage —all men conceiving that it was not this fact, but the hatred the king carried to her brothers, that had

[1] See the collection of documents on this tragedy, in Pitcairn, i. 183 *et seq.*

brought her to this end. Her husband, seeking to escape over the wall of the castle, fell and broke his leg, and so died."[1] Three years later the histories mention another treason-trial, of which nothing but the bare results are known. It befell James Hamilton, generally called the Bastard of Arran, an illegitimate brother of the earl. Like some other members of the chief houses born under similar stain, he had the fortune to acquire great estates, so as almost to rival the head of his house, and the bringing him to trial was set down against the king among the oppressions with which he pursued the nobility of the land. The offence charged on him was that, in league with Angus, he had planned to murder the king. He was found guilty, and beheaded.

There were other trials and executions, of which we know little in a contemporary authentic shape, save the broad fact that the crime of the sufferers was a participation in the new heresy. The particulars are buried in the mystery common to the proceedings of the ecclesiastical courts. Five of them suffered by fire on the Castle Hill in February 1539. They seem all but one to have been ecclesiastics of humble grade. At this time we find Norfolk announcing to Cromwell that "daily cometh unto me some gentlemen and some clerks, which do flee out of Scotland, as they say, for reading of Scripture in English, saying that if they were taken they should be put to execution. I give them gentle words, and to some money."[2] It was in close connection with these events that David Beaton had now got to the height of his power. On the death

[1] Godscroft's House of Douglas, 261.

[2] State Papers (Henry VIII.), v. 154.

of his uncle, James, in 1539, he became Archbishop of St Andrews. He had been made a cardinal some months earlier, when he began duty as his uncle's coadjutor. After presiding at the trial of the Protestants, he set off on one of his scheming missions to France and Rome. He was deep in Italian and French politics—more, indeed, of a Frenchman and a servant of the Guises than of a Scotsman. To a dislike of this man, with his foreign influences and leanings, we may attribute much of the reaction which was soon to appear.

Appropriate to these ecclesiastical affairs is a curious letter by Sir Ralph Eure, addressed to Cromwell in 1540, about the feeling of the Court as to the religious discussions of the time. There was a certain Thomas Bellenden, of a gentle and sage conversation, whom he gathered to be a man "inclined to the sort used in our sovereign's realm of England." This man told him "that the King of Scots himself, with all his temporal council, was greatly given to the reformation of the misdemeanours of bishops, religious persons, and priests, within the realm; and so much that, by the king's pleasure, he being privy thereunto, they had an interlude played on the Feast of the Epiphany of our Lord last past before the king and the queen at Linlithgow, and the whole council, spiritual and temporal, the whole matter whereof concluded upon the declaration of the naughtiness in religion, the presumption of bishops, the collusion of the spiritual courts, called the consistory courts in Scotland, and the misusing of priests." The narrator went on to say that, at the conclusion of the piece, the king addressed some of the bishops who were present, exhorting them to re-

form their fashions and manner of living; telling them that, if they failed to take heed, he would send half-a-dozen of the proudest of them to be dealt with by his uncle of England.[1] This man of gentle and sage conversation had come to the conclusion "that the King of Scots is fully minded to expel all spiritual men from having any authority by office under his grace, either in his household or elsewhere within the realm, and daily studieth and deviseth for that intent."[2] It is certain, however, that no such studies had an opportunity of showing practical results; for he was at that

[1] It is generally believed that the "interlude" performed on this occasion was Sir David Lindsay's celebrated satire of 'The Three Estates.' Though it specially exempts the monarch from its assaults, yet, at any court with higher notions of the divinity that doth hedge a king, Lindsay's rough way of giving counsel and encouragement would be counted as at least making too free with royalty. The sovereign of the piece is "Correction," who announces that—

"Na realm nor land, but my support, may stand;
For I gar kings live into royalty.
To rich and poor I bear an equal hand,
That they may live into their own degree.
Quhare I am not, is no tranquillity.
By me traitors and tyrants are put down,
Quha thinks no shame of their iniquity,
Till they be punished by me, Correction.
Quhat is ane king? Naught but ane officer
To cause his lieges live in equity,
And, under God, to be ane punisher
Of trespassours against His majesty."

The king, who is present, has not always acted up to his duty; for he is told—

"Get up, Sir King! ye have sleeped aneuch
Into the arms of Lady Sensuall.
Be sure that more belongis to the plough,
As afterward, perchance, rehearse I shall.
Remember how the King Sardanapall
Amang fair ladies took his lust so lang,
Sa that the maist part of his lieges all
Rebelled, and syne him doolefully doun dang."

The great point is that the king shows symptoms of reformation, the churchmen show none.

[2] State Papers (Henry VIII.), v. 170.

time at odds with all who could serve him from the civil ranks, and virtually in the hands of the clergy. The Englishman's informer was, perhaps, on the whole, rather sanguine.

The Estates met in 1540, and ventured but very gently to touch the great question. No one was to impugn the Pope's authority, under penalty of confiscation; and acts were passed to strengthen the hands of the law in dealing with heretics, and the suppression of conventicles of laymen for discussion of religious matters. But, on the other hand, an act of reformation was passed—a friendly act, calling on the Church to strengthen itself by casting forth its abuses, "that because the negligence of divine service, the great unhonesty of the kirk through not making of reparation to the honour of God Almighty and to the blessed sacrament of the altar, the Virgin Mary, and all holy saints, and also the unhonesty and misrule of kirkmen baith in wit, knowledge, and manners, is the matter and cause that the kirk and kirkmen are lightlied and condemned; for remeid thereof the king's grace exhorts and prays openly all archbishops, ordinaries, and other prelates, and every kirkman in his awn degree, to reform theirselves, their obedienciaries and kirkmen under them, in habit and manners to God and man."[1]

Ever since his return from France an exceeding close watch was kept on the motions of King James. The eminent Sir Ralph Sadler was sent as an ambassador to Scotland, with distinct and full instructions. That sagacious man had a clear eye for all that was going on around him; but men of lower position, who would

[1] Act. Parl., ii. 370.

take less scrupulous means of obtaining knowledge, were sometimes required. As it always is with a spy system, we find continual traces of the starting of alarming suspicions. Clifford writes, that since the king's return from France he has never given himself to any princely pleasure, having abandoned all the dissipated frolics for which he had so keen a relish, and is gravely occupied with arranging the ordnance in Dunbar, Tantallon, and other castles. His motions are mysterious. It is told how he, "at least twice every week in proper person, with a privy company of six persons and himself, repaired secretly by night, at the hour of twelve of the clock or after, to his said Castle of Dunbar, and there so continued sometimes by the space of one day, and sometimes of two days, and returned by night again, and hath put all his ordnance there in such case that the same are in full and perfect readiness to be removed and set forward at his pleasure." [1]

It is the function of a spy always to have, if possible, something important to tell. Perhaps the zeal and activity of King James about the fortifying of Dunbar was nothing more than the eagerness of a young man to put a new acquisition to its legitimate use. The French garrison continued to hold that fortress until its evacuation was bargained for by King James himself on his marriage sojourn in Paris. It had been garrisoned by poor De la Bastie, murdered more than twenty years earlier. That it should be permitted to remain so long in the hands of foreigners is a remarkable instance of forbearance towards a people who, although aliens, were national friends; but the Scots never liked the

[1] State Papers (Henry VIII.), v. 94.

arrangement, and were ever uneasy at the castle being so held.[1]

Next, a spy had beheld "eight gentlemen of Ireland with the king, who brought unto him the seals under writing of all the great men in Ireland, that they would hold of him, and take him for their king and lord, and that they would come into Scotland to make him homage, and that he should have more profit yearly than ever the king's grace our master had of them."[2] The spy said they got great encouragement from the king. There was some truth in the story. The Irish chiefs had been dealt a new blow from England by King Henry taking the title of King of Ireland instead of Duke only, as of old. What encouragement they received from King James is not distinctly known; he was probably sufficiently imprudent. But whatever he promised, he was afterwards charged with disappointing their expectations.

It was coupled with the rumours about Ireland, that the king was fitting up a fine fleet; while others said he intended to sail to France for the attainment of some mysterious purpose or other. It was reported that "the number of the ships are sixteen. They be as strongly furnished with all the best ordnance, harness, and habilinients of Scotland for strength as can be devised, and with that as gallantly trimmed

[1] "A legge ayond Pontloyes I mette with my Lord Askyne and the Abbot of Couper, makyng hast to the Newhaven to pass in Scotland in oon of the kyng's sheppes, to receave Dunbarr to the Kyng of Scotts' use, with all the implements thereof." This is written by the partisan of Angus already referred to (p. 352), who thought the affair of Dunbar so important that he was in doubt at first whether it was that alone or a matrimonial project that took King James to France.—Pinkerton, ii. 490-93.

[2] State Papers (Henry VIII.), v. 178.

with painting and gilding—the like has not been seen in Scotland. The number of men that passes is three or four thousand, as it is said; and they be chosen and tried of the best as well for their persons as for their substance to furnish theirselves."[1] The sailing of this fleet was delayed by the prospect of a domestic event. It was realised on the 22d of May 1540, by the birth of a prince and an heir to the throne. The king and his gallant fleet then started on an expedition of exploration round Scotland. The fleet sailed along the east coast until it reached Orkney, where the hospitalities of the bishop were welcome and the ships were revictualled. There was then a run through the Pentland Firth, and a visitation of the Western Isles or Hebrides, where the king saw many of the chiefs and other leaders. There had been recent turbulence and bloodshed there, as there always was; but the days were past when a potentate, holding the influence of the old Norse kings, could have defied a king of Scotland with a fleet as strong as his own. It happened, indeed, that Donald Gorme, the last man to make war as a representative of the Lords of the Isles, had been killed in a manner which showed how poor a chance there was in the contests of the day for those who made war in Highland fashion. Professing to besiege the Castle of Elandonan, in Loch Duich, in Ross-shire, an arrow entered his foot. It was torn out, but being barbed, it lacerated the flesh, so that Donald died.[2]

The chiefs and leaders offered their duty and submission in their usual profuse manner. The king took possession of some of them. In dealing with the Highlanders and Islesmen, he required no writs or other

[1] Pinkerton, ii. 180.

[2] Gregory, 145.

forms, such as the Lowland lairds and burgesses stood by. Several of them were brought southward in captivity, but no cruelty seems to have been used. There had been now pretty long in use a policy already alluded to, of taking "brughs" or sureties for Highland clans—a like process to the compelling of a turbulent person to keep the peace, and owning the same legal pedigree. Obtaining these sureties on a large scale appears to have been the chief political result of the expedition, but there was another of more permanent moment. For pilot or admiral of the fleet there went a man of distinguished nautical science in his day, Alexander Lindsay. His notes were worked up and systematised by Nicholas d'Arville, who bore the title of Cosmographer to the King of France. The fruit of their joint labours forms a remarkable achievement in hydrography, and surprises any one casually looking over it by the precision with which it records the specialties, especially the dangerous ones, of that long seaboard from Leith round by the Orkneys and Hebrides to the Mull of Galloway.[1]

In due time a second son was born, to guarantee in a manner the succession to the crown. But the future was doomed to be dark. Death became suddenly busy with the royal house of Scotland, as it had been in that memorable period of calamity before the War of Independence. The first to fall was Queen Margaret; she died at Methven on the 24th of November 1541. Hers had been a troublesome and, in a great measure, a mischievous life. In her latter days she had fortu-

[1] 'The Navigation of King James V. round Scotland, the Orkney Isles, and the Hebrides or Western Isles, under the Conduct of that excellent Pilot, Alexander Lindsay, methodised by Nicholas d'Arville, Chief Cosmographer to the French King, 1718.' For a general account of the expedition see Lesley, p. 159 *et seq.*

nately nothing to say in politics, and she only made herself felt by her frantic efforts to get herself divorced from her third husband. The infants' deaths, following immediately on hers, were far more momentous. The younger prince died first, then the elder. It was a serious blow to the country, which, it will be observed, had with strict constitutional loyalty kept the heir of the throne, however young and feeble, as the monarch of the country, in whose name all the power of the nation was exercised. They had done so faithfully by the children of kings whose claim could not be doubted, but it would be hard if this faithful spirit of adherence to a constitutional rule should be set adrift, to be tossed about in a conflict among distant collaterals. This, however, was not the shape which the difficulties of the country were to take. However the king may have personally felt the bereavement, he had put himself in a position to feel that its political effects were very terrible. He had stirred up powerful elements of opposition; and when men have powers of this kind in their hands, nothing is so apt to stimulate them to mischief, in a monarchy, as the prospect of an uncertain or disputed succession. King James began business as a king with insults and injuries to the chief territorial lords. They might be deserved or might not; either way, they made, as we have seen, determined enemies. His short sojourn in that kingdom which Louis XI. had organised did not improve him as a ruler for Scotland. All he saw there would be subservience at Court. This was compensated to those who paid it by a full swing of tyranny over their own vassals in the distant provinces. This latter phenomenon would not have pleased King James, if we take

the popular estimate of his character; but he would have no opportunity of seeing the crown vassal among his peasantry. What he did see in Paris was a centralised power in the monarchy, making contrast to anything he had to show at Holyrood or Linlithgow. It might be said on his return that, if he had chastised the Scots aristocracy with whips, he now chastised them with scorpions. He had in his hands a process not unusual in Scotland both with monarchs and subjects. By the ordinary law the heir, when he came of age, was entitled to review every alienation of property or other transaction relating to his affairs done during his minority, and to revoke any that he could prove to be prejudicial to his interests. King James issued such a revocation. In itself it might be little more than a form; but it was said that he pushed it to the letter, and virtually confiscated many fair estates. He thus succeeded in planting hatred in the hearts of men who were not accustomed to let that passion vegetate unfruitfully.

On the other hand, his uncle, Henry, was becoming more and more dictatorial, insisting on conformity with all his own ecclesiastical escapades. Under the clauses in the treaties that all criminals should be given up on either side, he demanded that the religious refugees who had fled to Scotland should be put at his mercy; but in this matter the Scots Government were commendably firm. King Henry again proposed a meeting at York. His nephew agreed to it, stipulating that he should have a safe-conduct, "in ample form and most honourable manner," under the great seal and the sign manual.[1]

[1] State Papers (Henry VIII.), v. 199.

King Henry travelled in due state to York, but no King of Scots came to meet him there. A disappointment of this kind is known as a sore trial to the best of tempers. There is the journey wasted, the intended business untransacted, and a certain consciousness of being befooled; but, gravest of all, the unpunctuality of the King of Scots was equivalent to a charge of treachery against the King of England. It would tax a very strong imagination to realise the effect of all this on such a temper as Henry had. Fury took possession of him—fury which nothing but war could satiate. It was not to be a war for merely humiliating and wounding, but a war for conquest, with the alternative of extirpation; the country whose monarch had done him such dishonour was no longer to have a name in history.

In fact, King James's advisers had misgivings, and would not let him go. Childless as he then was, the stake which the nation had in him was too great to be perilled. Even if there were no premeditated treachery, it was dangerous to trust their treasure in the hands of a man like Henry.[1] They might remember what that prince so like him in character, Charles the Bold of Burgundy, had done by Louis XI. Of these two it would have been of Louis that any one would have predicted treachery; yet, from infirmity of temper, the duke so acted as to bring disgrace upon himself, and make the old fox who was plotting his ruin seem the victim of a generous and confiding nature. Comines was of opinion that princes should never meet; the temptation of such an occasion was too much for human nature.

[1] State Papers (Henry VIII.), v. 214.

But in reality King James's advisers were influenced by something more distinct than general principles of prudence. They distrusted his uncle's faith.[1] How far they had reason on their side, perhaps a small transaction of the period may show.

The state papers of the times let us see that the English spies were sedulous about James's motions and habits, especially how he lived and where he took up his abode when he hunted, as he sometimes did, in Meggetland and other border districts. The following extract from a memorial addressed by the English Council to King Henry throws so perfect a light on the object of these inquiries as to leave nothing for conjecture and no room for comment. After dealing with another matter of no moment, the paper proceeds :—

"Now, sir, to the second, concerning the King of Scots. Surely, sir, we take it to be a matter of marvellous great importance, and of such sort and nature, considering it toucheth the taking of the person of a king in his own realm, and by the subjects of his uncle, not being in enmity with him, but resting upon his answer and the sending of commissioners for all matters which hath been in question between you, that, unless your majesty had commanded us expressly to consider it, we would have been afraid to have thought on such a matter touching a king's person, standing the terms as they stand between you.

"But, sir, we have also weighed that matter after our simple wits and judgments accordingly, and we find in it many difficulties.

"First, we consider that the castle whereunto he

[1] State Papers (Henry VIII.), v. 214.

resorteth is [ ] miles within the ground of Scotland.[1]

"We consider, also, that the country between that and England is too well inhabited, that it should be very difficile to convey any such number of men to the place where he should be intercepted, but the same would be discovered.

"We consider again that Dumfries, one of the best towns in Scotland, is in that part where the enterprise should be done; and the country so inhabited at their backs, that, if it were done, it would be hard to bring him thence, especially alive.

"Now, sir, for the dangers of it. If the thing should be attempted, and by treason discovered—as we think surely it could not be done but some Scots must be of council—and the party thereupon taken and enforced to confess their purpose, what slander should grow of it, yea, what deadly feud should ensue of it, your majesty's high wisdom can much better consider than we can think or devise.

"On the other side, if they should take him, it is undoubtedly to be thought that either he shall be rescued and the party also apprehended, or else in the tumult he shall be in danger of his life amongst them. And what peril and slander is in either of these parts your wisdom can best consider.

"Therefore, sir, the dangers and difficulties be so great herein, and the matter of such weight, as we dare not give our advice to the following of it, but rather think it meet, under your majesty's correction, that Wharton, who hath, we think, had a good meaning in it, should nevertheless surcease, and make no living

[1] Probably Caerlaverock, on the Solway.

creature privy to any such matter, unless by your commandment; upon other matter, hereafter he should be further advertised." [1]

So clear an exposition of the immeasurable turpitude and folly of their master's proposal is creditable to the Council. But one is apt to be surprised at the gratuitous courage shown in their touches of subtle irony about what his majesty's wisdom can see better than they can.

King Henry now declared war. He accused James of breaking his faith about the meeting, and of connivance with his Irish rebels. There was a third cause, which might have rendered all others unnecessary—he was determined to assert the old right of superiority. History affords no more remarkable contrast than is found between the stealthy, subtle, patient approach which King Edward made to the same object, and the sudden impetuous rush of King Henry. There was no preparation in the phraseology of diplomacy, or in the performance of small acts inferring homage and service on one part and protection on the other. In fact, the demand was not for mere feudal superiorship, but absolute possession. The first step was a letter to the Archbishop of York by the Council, who thought this a less perilous and discreditable matter than the other. They state the resolution "to have the king's majesty's title to the realm of Scotland more fully, plainly, and clearly set forth to all the world;" and the archbishop, Lee, who is understood to be learned in such matters, is ordered to assist in making out a case "with all

[1] State Papers (Henry VIII.), v. 204, 205. By Wharton having had "a good meaning," we should perhaps understand that he was a promoter of the plot to kidnap King James.

convenient expedition."[1] He rested his claim on the old story of Brutus with his three sons, Locrin, Albanac, and Camber, and so downwards, just as we find it all already set forth by Edward III.

There was another cause of anger and alarm. Cardinal Beaton was then abroad negotiating dangerous combinations among the great powers with whom his high position and foreign connection gave him influence. To this mission no allusion is made as a cause of war; but that Henry and his Court were well acquainted with it we know from this, that they made zealous but ineffectual efforts to catch him in his voyage across the Channel.

In August 1542 a commission was issued to put the array of the northern half of England at the disposal of Norfolk, who was instructed "with the same, not only to defend his majesty's realm against the Scots, but also to invade the realm of Scotland, for the most annoyance of the said Scots, and the destruction of their country, to give them the battle, or for any other purpose, as long as he shall think requisite and convenient."[2]

The king's impatience, however, seems to have been too ardent to give time for the assembling of this large force. The war began with a border inroad. Norfolk was ordered to destroy all the castles on the Scots side, and was enabled to give the cynical answer, that there were none—he had himself destroyed them all twenty years ago. Three thousand horsemen, under Sir Robert

[1] State Papers (Henry VIII.), v. 213.

[2] Hamilton Papers, 70. "Which commission your lordship must cause to be sent by some very honest man to be sworn to the secrecy of it."

Bowes, who had Angus and his brother with them, went to harry Jedburgh. Some of the Homes and other borderers met them on the way at Hedenrig, and there attacked them with great success, taking six hundred, including the leader, and driving the rest who were not killed to flight.

This seems to have fulfilled the measure of Henry's wrath. He issued a long address in vindication of his conduct, representing himself as a meek and patient Christian, who had long borne the insults and injuries of a nephew on whom he had heaped distinguished favours and kindnesses. He marvelled, indeed, how it was possible for so much wickedness to exist where he ever "trusted the tree would bring forth good fruit that was of the one party of so good a stock"—a graceful allusion to the virtues of his sister.[1] To give a more practical shape to his feelings of sorrow and indignation, he sent an army of thirty thousand men northwards. It was an act of rash fury: there was no commissariat for them—the country was bare; and after Norfolk and others were put at their wits' end to prove that there was nothing to eat, and neither men nor horses could be kept together without food, the army was disbanded. Meanwhile there was a muster on the Boroughmuir, and the king led a respectable army southwards. It had reached Fala Moor, when the news came of the dispersal of the English army. The conditions were now altered, and the question before the leaders was not the protection of Scotland, but the punishment of England. On such an errand they refused to follow the king, to his deep vexation.

[1] Hall's Chron., 844. This document may now be found in a book more likely to be in the reader's hands—Froude, iv. 182.

They founded, as on former occasions, on the limits of the feudal obligation. They were bound to arm, and follow the king in the defence of Scotland; they were not bound to assist him in the invasion of another country.

Still, though a serious invasion could not be attempted, it was resolved to send a party, said to be of ten thousand men, across the western border. They passed the Esk and entered English ground. There a strange fate befell them. Among his other weaknesses, the king was detected in making a favourite of a certain Oliver Sinclair. This person he appointed to command the expedition. He was raised upon a sort of platform, and began to read his commission. The leaders received it with an indignation that brought them together in angry talk, forgetting all discipline and caution. Dacre, who was hovering near with a small body of men, to his surprise, saw the Scots army in utter disarray; not caring for the cause, he seized the opportunity of the moment, and dashed into what he found a confused rabble. There was a general scattering right and left, and several prisoners taken. Such was the affair of Solway Moss.

The king, in deep gloom, was abiding in Caerlaverock Castle, near at hand. There he got, almost simultaneously, news of the disaster, and of the birth of a daughter on the 7th of December. He is said to have murmured, "It came with a lass, and it will go with a lass," in allusion to the throne coming to the Stewarts by a daughter of Bruce. He was not to know that the fragile guarantee for the continuation of his race was to give it more renown than all the line of hardy high-spirited men it had successively given to govern Scotland. A

weary spirit and infirm body reacted on each other, and he died on the 14th of December 1542.

King James V. is among the earliest Scotsmen of whom there is a portrait considered authentic. It shows the high cheek-bones of the country; but the face is, on the whole, handsome, and has the air of polish which would entitle it, in modern phraseology, to be called gentlemanlike. The colour of his hair announces why he was called by his familiars "the Red Tod," or red fox. What he was as a ruler, the present narrative ought to show. He was affectionately remembered by his people as "the King of the Commons." History told that he had been no friend to the nobles, and tradition mixed him up with many tales of adventure among the peasantry, who not less enjoyed their memory that they were not always creditable to him. It was, perhaps, from these specialties of his popularity, that he long held a place in literary renown as the People's Poet. 'Christ's Kirk on the Green' and 'The Gaberlunzie Man' are rhymed pictures of Scottish peasant-life, so full of lively description, and broad, vigorous, national humour, that in popular esteem they could only be the works of "the King of the Commons;" but this traditional belief lacks solid support. From the character of his life, he would, according to modern notions, be called a profligate. Unless he had been gifted with special asceticism, he could not well have been otherwise; for a great tide of profligacy had then set in upon Scotland, and the clergy were the leaders in it. From his own mother he had but a poor example set before him, and both had in them so much of the blood that Henry VIII. inherited.

CHAPTER XXXIV.

Regency of Arran.

THE CONDITION OF THE COUNTRY — THE INFANT QUEEN — THE REGENT ARRAN AND CARDINAL BEATON—THE QUEEN-MOTHER, MARY OF LORRAINE—THE DETERMINATION OF HENRY VIII. TO MARRY THE QUEEN TO HIS SON — HIS THREATS—ANGUS AND THE CAPTIVES AT SOLWAY MOSS—HOW THEY BECAME "ASSURED" TO SERVE KING HENRY—SIR RALPH SADLER RETURNS—FINDS THE PEOPLE DETERMINED AGAINST ENGLISH INTERFERENCE—THE ASSURED LORDS WILL GET NO OBEDIENCE FROM THEIR OWN RETAINERS—THE OFFERS TO ARRAN—CARDINAL BEATON'S IMPRISONMENT—TREATIES FOR THE MARRIAGE—THE CUSTODY OF "THE CHILD"—NATIONAL SUSPICIONS—SEIZURE BY HENRY OF SCOTS VESSELS—NATIONAL OPPOSITION TO A TREATY—POSITION OF DOUGLAS AND THE LORDS ASSURED TO HENRY.

AGAIN came the fatal conjunction of thirty years earlier—the death of a king, and a disastrous battle. Of those thirty years, for scarcely ten was the sovereign a man of adult age; and now the country was to be ruled in the name of an infant seven days old. The disaster of Solway Moss was, however, of smaller account than that of Flodden. The country had not lost a generation of its leading men, and was sound at heart. The firmness of its constitution was at once shown by the machinery of government going straight on, without check or tremor, in the name of the infant. In

her there was, again, a symbol of authority to be scrambled and fought for; but matters went more decorously than in former minorities. It was not by barefaced acts of the character of theft or robbery that possession of the queen and the supreme power was obtained. It was said, indeed, that there was an attempt to procure the desirable acquisition by a forgery. Arran told Sir Ralph Sadler that Beaton claimed the custody of the royal infant as bequeathed to him by the late king, and produced a written testament under his signature, which, as Arran believed, was either absolutely forged or obtained by fraud.[1]

Even had it been genuine, however, it would have told for nothing against the will of the Estates, who let the Earl of Arran step into the regency as his hereditary right. Now that Albany was dead without issue, Arran, as head of the house of Hamilton, was next heir to the throne in the manner already mentioned.[2] The infant remained at Linlithgow, where she was born, in charge of her mother, aided by a council. This division of charges followed a rule in the Scots law of private property. The estates of a minor are managed by the nearest relation on the father's side, who is, or may become, the minor's heir. This person has thus the chief interest to preserve the estate. In the matter of the preservation of its owner, however, his interests are supposed to be adverse; and therefore the custody is given to the mother, or the nearest relation on her side.

The Earl of Arran, who was now to be chief ruler,

[1] "'He did counterfeit,' quoth he, 'the late king's testament; and when the king was almost dead,' quoth he, 'he took his hand in his, and so caused him to subscribe a blank paper.'"—Sadler State Papers, i. 138.

[2] See chapter xxix.

was a good, easy, pleasant man, notorious for fickleness. So early as the year 1525, the English emissary, Magnus, describes him as "strong of men and of good substance in goods, and liveth in order and policy, as is said, above all other here, most like to the English manner; he is noticed some deal variant."[1] Eighteen years later, Sir Ralph Sadler said he was spoken of by the nobles as "a very gentle creature, and a simple man, easily to be ruled."[2] And Mary of Guise, a very competent judge, said of him, "He is assuredly a simple and the most inconstant man in the world; for whatsoever he determineth to-day he changeth to-morrow."[3]

King Henry, when he heard of the events in Scotland, seems to have instantly leaped to the conclusion that he should have the infant queen as a wife for his son Edward. He had then in his possession Angus and the prisoners taken at Solway. By his peculiar method of rapid reasoning, he concluded that these men might be made admirable agents for accomplishing his plan. Angus had ever pleaded that the true way to have good service of him was to get him restored to his position in Scotland. On the occasion of King James's marriage-trip, he pressed that the English ambassadors in France should get the king to intercede with his son-in-law for the restoration. They were to represent that Angus was an ill-used man—the victim of malicious tongues, who had "never offended" against his country; and in the letter in which he desires his conduct to his country to be so represented he says, "If we were at home in our country, we might do the

[1] State Papers (Henry VIII.), iv. 289.
[2] Sadler State Papers, i. 75. [3] Ibid., 115.

king's grace better service than we do here, and without charges; where now we put his grace to great charges, and may do him but small service." [1]

Immediately after the death of King James, Angus was sent back to Scotland. His forfeiture was reversed by Parliament, a testimony not so much of the willingness of the Estates to aid Henry, as of their sense that their late king had been harsh and vindictive. Along with Angus came his brother, Sir George, and the Lords Cassilis, Glencairn, Fleming, Maxwell, Somerville, and Oliphant. These had come under obligations to do their utmost for the designs of Henry—to get the infant queen and the fortresses of the country placed in his hands. Each of them was required to send a son or other near relation to the English Court, as a hostage for his fidelity. Henry still retained a large body of the captives taken at Flodden, and it were pleasant could it be recorded that if he tampered with these others he failed to gain them; but we have only the neutral evidence in their favour that they were not bought. Of those who were, it is but a questionable apology to say they had made a bargain which they knew they could not fulfil. For Angus, the great leader of their offences, there is more to be said than for the others. He took up the position rather of an independent power than of a subject. His actions were not to be dictated by duty as a common citizen, but by diplomacy as a power. A crooked diplomacy, no doubt, it was; but, in dealing with a bargainer like Henry VIII., there was little encouragement for honesty.

Early in 1543, Sir Ralph Sadler was sent to Scotland

[1] State Papers (Henry VIII.), v. 61.

to see what speed these emissaries had made. He had but a poor account to render. Lord Lisle had questioned a sagacious Scots priest about the prospects of Angus on his return. "He said that all Scottishmen do say that if he will come home and take their part against England, he shall have all his houses and lands restored to him; and unless he will not so promise and be bound, he saith that all the country would be against him."[1] As Sadler by degrees discovered, this was a result which worked itself out naturally, without any obligations or promises. It was now fifteen years since Angus had been in Scotland at the head of his vassals. They fought for him willingly against his master, the King of Scots. If, in contradiction to the tenor of all Scottish history, he could ever have got them to fight for England, the feudal hold that could have produced such a phenomenon was now loosened. When Sadler asked him what he was doing, he admitted that as yet it was nothing. "I am not," he said, "fully established here. I am but newly restored to my possessions, trusting to be every day more and more able to serve his majesty, as I shall ever be a true Englishman, and faithfully serve the king's majesty while I live, to the utmost of my power."[2] Angus was in a different position from his associates. He was known as a friend of England, and distrusted, until he should show by positive acts that he had returned to his allegiance. The others were not so deeply committed as enemies to their country, or so closely watched. Still they had done nothing, and their apology was that they must wait, and conduct themselves in the mean time like

[1] State Papers (Henry VIII.), v. 238, 239.
[2] Sadler State Papers, i. 75.

good patriotic Scots, otherwise they might never have an opportunity of serving their master.

Much historical ingenuity seems to have been wasted in accounting for the curious events of this period. Now, it is the cunning of the cardinal, and the seductive duplicity of the queen-regent, working on the vacillating mind of Arran; next, it is the deep plotting of Angus or Glencairn. But there was, in reality, a force to which all such matters of personal character or capacity were trivial—the force of a unanimous national ardour beating as with one heart. This might be in some measure led or controlled, but no man could dare to face or thwart it without courting immediate destruction. Its direction was a deep determined hatred of England. Looked at as a feature in European history, the policy of Scotland may seem fickle and unsteady. Looked at from the country itself as a centre, no policy could have been steadier and more simple. It was the policy of the watchdog, who has nothing to do but to protect, and who flies at all comers having evil designs, whether it be the masterful robber coming with avowed force, or the prowling thief who professes innocence and kindness.

The reason why, thus actuated, the people held by France and hated England, may be briefly put as follows from the tenor of the abundant state papers of the period. England never loses sight of the policy of annexing Scotland. Whether her attitude be menacing or alluring, her object is the same. Like the Greek before Troy, her very gifts were the object more of terror than of gratitude. By nothing but the strong hand and the suspicious temper could Scotland save herself on that side. As to the French, perhaps they

were insolent and contemptuous; when they showed such a spirit, they got as good as they gave. Personally they were not much liked when they came to Scotland. But they had never shown designs on the national independence.[1] On this, the vital point, there was nothing to fear from them. Soon afterwards we shall find a change here. There arose serious fears of the French designs, and then the country recast its external politics, as a vessel trims its sails when the wind changes.

So when Sadler, in his anxious investigation, penetrated downwards from that surface in which he knew that there were professed friends of England, he found that, as the political strata became broader, the hatred of England became more unanimous. The divided feeling among the great, the unanimous determination among the humble, was very happily expressed to him by George Douglas, stepping along with him after he had presented his credentials, that they might have a

[1] As Sadler, after having had a good deal of experience of the country, very well said: "As far as I can see, the whole body of the realm is inclined to France, for they do consider and say that France requireth nothing of them but friendship, and would they should continue and maintain the honour and liberty of their realm, which of themselves they naturally do covet and desire. France, they say, hath always aided them with money and munition, as now they have promised more largely by that which they have brought. Whereas, on the other side, England, they say, seeketh nothing else but to bring them to subjection, and to have superiority and dominion over them, which universally they do so detest and abhor, as, in my poor opinion, they will never be brought into it but by force. And though such noblemen as pretend to be the king's majesty's friends here could be contented, as they say, that his majesty had the superiority of this realm; yet I assure your lordship, to say as I think, there is not one of them that hath two servants or friends that is of the same mind, or that would take their parts in that behalf."—Sadler to the Privy Council of England, State Papers, i. 326.

chat with each other. Sadler was keenly questioning his man, to find out why it was that little or nothing had been done for the great object. Douglas had the unanswerable defence of impossibility. If there were an attempt at dictation from England, "there is not so little a boy but he will hurl stones against it, and the wives will handle their distaffs, and the commons universally will rather die in it, and many noblemen and all the clergy be fully against it."[1] Douglas suggested a course at variance with Henry's prompt and violent ways. He recommended patience and coaxing, and, as a preliminary, "the subjects of both the realms having liberty to have intercourse, and to resort one with another without safe-conduct, which shall engender a love and familiarity betwixt them." And farther, "the noblemen and young gentlemen here repairing from time to time to the Court of England, being well entertained there, as the king's majesty of his gentle nature can well entreat them, yea, and the governor himself also coming to his majesty as he hath promised; these things in time shall bring the nobility of this realm so far in love with his majesty, that he shall have the whole direction and obedience of the same at his pleasure."[2]

To his friend Lord Parr the perplexed and baffled ambassador gave his mind distinctly and shortly. "I have travailed here, as much as my poor wit will serve me, to decipher the inclinations and intents of these men here towards the king's majesty; but the matters

[1] Sadler State Papers, i. 70.

[2] Ibid. King Henry's "gentle nature" sounds like a touch of sarcasm on the part of Douglas, but it meant hospitality and good-fellowship, in which Henry abounded.

are so perplexed, that I know not what to judge of them. In mine opinion, they had liver suffer extremity than come to the obedience and subjection of England. They wool have their realm free, and live within themselves, after their own laws and customs."[1] One would almost think, from the tone of this, that the ambassador's English heart beat in sympathy with a people so sore beset, yet so true to themselves.

Even by the polite and easy-minded Arran, one of whose many defects was a disinclination to contradict where he should have contradicted, nothing was accepted that put the independence of the country in question. In allusion to a great offer made to him, he said, as the ambassador reports it, "I am bound to creep on my knees to do his majesty service for his great clemency and goodness extended towards me therein. Wherefore, forasmuch as I remember well you told me, that the king's majesty, in case I should go through with him upon all other matters, had resolved on this marriage if I should desire the same; therefore it is meet that I should desire it. So when all those matters be concluded, or at a good point (which there is no doubt but we shall easily agree upon, unless the king's majesty go about to take away the liberty and freedom of this realm, and bring the same to his obedience and subjection), I shall then send to his majesty to desire the said marriage for my son."[2]

The bribe which the ambassador was empowered to offer to him, whether in sincerity or not, was brilliant enough to dazzle the eyes of any subject. It was the hand of the young Princess Elizabeth for his son. This son we shall afterwards find, in his craze, playing fan-

[1] State Papers (Henry VIII.), v. 271. [2] Sadler State Papers, i. 139.

tastic love-tricks on Queen Mary. What effect it might have had on history, had Queen Elizabeth, in her early youth, been bound to such a husband, it is open to all speculators to guess. All we have at present to do with the offer is to notice that it had little influence. Arran's facility was of the kind which is exceedingly provocative to people having designs. It was a facility that yielded only to his own comfort, not to co-operation in what was desired of him. He was neither to be led nor driven into activity. To the offer that should have astounded and secured him, he did nothing but mumble his humble gratitude—he announced no purpose. As he diverged into other talk, the ambassador had to bring him back to it. "I returned then to the matter we were in before, and asked him, what I should write to your majesty of his answer to that overture of marriage which your highness hath in such sort made, as I had declared unto him? He put off his cap again, and prayed me, 'to write unto your majesty, that he most humbly thanked the same a thousand times for the great honour it pleased your highness to offer unto so poor a man as he was, and that he would communicate the same to his most secret and trusty friends, as to his brother and Sir George Douglas, and not many moe: Whereupon, or it were long, your majesty should know his whole mind and resolution in that behalf.' And finally, he prayed me, on his behalf, 'to render most humble thanks to your majesty for the great goodness and clemency you did show to his said brother and the other gentlemen which were lately with your majesty;' which I told him I would do accordingly, and so we departed. I intend diligently to solicit his

further answer to this overture of marriage, which had, I shall advertise with such diligence as appertaineth."[1] But when he did return to it, he got nothing but the general remark above cited, that all would go well, accompanied by the disagreeable allusion to designs against the independence of Scotland, which could not but prick a tolerably good conscience like Sadler's. Afterwards interpreting some misty admissions by Arran into a promise to help in subduing the country southward of the Forth, he made an offer in return, that, when "the child" was obtained, Henry should help to make Arran king over the rest of Scotland on the marriage of his son to the Princess Elizabeth. If this project was seriously entertained, the development of it would have been that the Tudor dynasty would have ruled the country to the Forth, and a daughter of King Henry, with the representative of the house of Hamilton for a husband, would have been queen in the north.[2] But with this, too, Arran trifled in his curious vague way. At another meeting he asked Sadler, What was it that King Henry proposed to do for him beyond the Forth? A second time the patient ambassador fully explained it; "whereunto he answered, 'That your majesty had devised such honour for him and his posterity, as for ever he is obliged to your highness for the same. Marry,' he said, 'all his lands and livings lay on this side of the Forth, and he would not gladly change for any living beyond the Forth.'" He farther represented that at that time an advance of £5000 would be much more acceptable and useful.[3]

Sadler felt it to be a heavy impediment to any progress in the great matter, that the Estates had appoint-

[1] Sadler State Papers, i. 131. [2] Ibid., 253. [3] Ibid., 256.

ed ambassadors to England before his arrival, and had given them their instructions. When he pressed to know what these were, he was met not by silence or reserve merely, but by rebuffs and strong hints that from such a quarter such inquiries were impertinent and obtrusive.[1] Nevertheless, there was one momentous point—the keystone of the whole policy of his master—on which he was determined, if possible, to get light. Was "the child" to be immediately given up to Henry, or was she not? Appearances were against the Scots taking a sensible view of the matter, and complying with the demand; even Arran, at first thought, said, "For the deliverance of the child out of the realm, till she should be at the state and age of marriage, he thought it so sharp and unreasonable that he could not agree to it." "Whereunto," says the ambassador, "I pressed him by all the good means and persuasions I could, insomuch as I drove him to say 'he could not answer me, and that he would not reason the matter with me, but refer it to the States and Council of the realm, without whom he did nothing; and if they would agree to it, he would not be against it.'"[2] This was the keynote, indeed, to all he could get on that point. The people he spoke to had no special objection themselves to part with the child, but the country was so unreasonable about the matter, that it was useless to attempt to get the thing accomplished; to advocate it, would only bring one into mischief and do no good.

Sadler resolved to work out this important question at its foundation. He had no doubt that the queen-mother, Mary of Lorraine, was the great instigator of those who were for retaining her daughter in Scotland.

[1] Sadler State Papers, i. 79.

[2] Ibid., 154.

Sadler waited on her, prepared to deal with her accordingly. But, to his amazement, he found her the only reasonable person in the country. She was delighted with the project for her daughter's instant removal, and would do all she could to aid it. She was glad to see him, for she desired to let his majesty know the designs of those who were her enemies and his; and she did so in this wise, "that the governor, whatsoever pretence or fair weather he made unto your majesty, minded nothing less than that her daughter should marry into England, and so had himself told her; and this much more, that, for to please your majesty, they would offer unto the same that there should be a contract made of the marriage, but they would have the custody of the child till she should be of lawful age; by which time God might dispose His pleasure of your majesty, being already well grown in years; and then they would handle it so as that contract should serve to no purpose."[1] Yes, she felt the warmest gratitude to Henry, the most profound thankfulness that her daughter had the prospect of such a protector. She wished she could go to England too, for she was surrounded by enemies, and indeed in great danger. And, having this in view, she hoped the ambassador would keep, as a dead secret from every one in Scotland, that which she had imparted to him; her life might be the forfeit were it revealed.

This woman belonged to a political school of which Sadler had not much experience. Its dissimulation was deeper and its mendacity broader than any that the Englishman was accustomed to. The means by which the queen proposed to carry the project of send-

[1] Sadler State Papers, i. 85.

ing her daughter to England might have awakened his suspicion. The cardinal was in prison at that time, or was said to be so; and this was one of the very few items in the condition of affairs that appeared satisfactory to Sadler. It was, therefore, an unexpected turn when the queen, after strongly expressing the urgency of the child's instant removal, said, "'The cardinal, if he were at liberty, might do much good in the same.' I told her I thought the cardinal would rather do hurt, for he had no affection towards England. She said, 'He was a wise man, and could better consider the benefit of the realm than all the rest.'"[1] From this Sadler formed a poor opinion of the queen's sagacity.

There was one point on which she showed candour, whether she was led to it by policy or by motherly feeling. It had been hinted that "the child" was very sickly, that she was not likely to live long, and it were pity to make so frail a creature a ground of contention. Then there was a suspicion that if her death, likely soon to come, happened in England, a changeling might be set up in her stead, and a beggar's brat might take the place of the descendant of a hundred kings, and do the vile work of England. That he might judge how false all this was, the mother gave the ambassador the amplest means of ascertaining the infant's physical condition, and enabled him to say, "I assure your majesty it is as goodly a child as I have seen of her age, and as likely to live, with the grace of God."[2]

The disappointments and perplexities of the ambassador were increased by the affair of the cardinal, which took an unpleasant shape. The chief charge laid against him was that he had connived with the great French

[1] Sadler State Papers, i. 86. [2] Ibid., 88.

leader, the Duke of Lorraine, the queen-dowager's brother, to bring a fleet from France to overawe the Government, perhaps to carry off the queen. This was an attempt to set up the dread of French against the dread of English intervention. The time was not yet ripe for such an alarm telling. Some years afterwards it could have proved effective, but the conditions which made France dangerous and odious had not yet arrived. One day several strange sails were seen in the Firth of Forth. "There comes the French fleet!" cried the alarmists. But they were answered by a discovery as surprising as it was exhilarating. The strangers were a Scots man-of-war, with several English merchantmen in tow, prizes taken before an armistice had been arranged. So entire a failure was the attempt to frighten the country about French interference, that Sadler's special friends told him how "the whole realm murmureth that they had rather die than break their old leagues with France."[1] No French force intruded on the country till it was devoutly desired and anxiously expected.

The chief charge against the cardinal thus fell through. Of the forged testament we hear nothing but the dubious statement of the governor. There was thus no strong wish among those in power to punish him. The method of his imprisonment was suspicious. He was sent to Blackness, on the south coast of the Firth of Forth, under the custody of his friend and steady follower, the Lord Seton. Sadler was afterwards astonished to hear that the cardinal was removed to his own fortress of St Andrews. The reason given for this was that Blackness, being near Edinburgh, was

[1] Sadler State Papers, i. 163.

too accessible. St Andrews was more remote and secure. It was on the German Ocean, too; and the prisoner could, if need were, easily be removed thence to Tantallon or Dunbar. Sadler was at liberty to consider this a suggestive hint, and to add Berwick if he pleased.[1] On the other hand, hints are thrown out in the correspondence of the day, that the imprisonment of the cardinal was a pretence from the beginning, and done merely to get him safely out of danger of being kidnapped by English emissaries.

Sadler was naturally at a loss to see how a state prisoner could be more securely kept in his own fortress than in a state prison. It presently appeared that he was master of his own castle, and of much beyond it; and all the satisfaction the ambassador could get from the regent was: "Touching the cardinal, he said he was as evil served in that matter as ever was man, for he had committed him to the keeping of the Lord Seton, who standeth bound in his life and inheritance for his sure keeping; 'and yet, nevertheless,' quoth he, 'the cardinal is master of his own house where he is, and has his liberty as well as you or I.'" Sadler urged the matter further, and desired to know if any steps were to be taken; but he only got from the regent that "he was at his wits' end in the matter; but he would devise with the Council thereupon, and see what they would determine."[2] Sadler had a further testimony to the cardinal's restoration to freedom and position, in a courteous invitation to visit him at St Andrews, "offering his lawful service unto the king's majesty"—that is to say, such service as consisted with his Scottish allegiance—"and what-

[1] Sadler State Papers, i. 89. [2] Ibid., 130.

soever stead or pleasure he might do me in those parts." [1]

It will be remembered that there was then a sort of party in Scotland who were termed, in the ambassador's letters, "his majesty's prisoners," or "the assured Scots," and by others "the English lords." These were the prisoners taken at Solway whom King Henry had released on promise of service to him. One of them, and the cleverest among them, Glencairn, had a sort of conference with Sadler. He spoke of the obstinacy of the country against Henry's very reasonable propositions, an obstinacy that had carried the facile governor with it. He was apologetic about "his majesty's prisoners" being unable alone to do anything in his cause. They were powerless, in fact, unless he sent a force; then they might aid it. In the mean time it was a question whether they should render themselves back as prisoners, or wait the coming of an English army, with the view of bringing their feudal followers to co-operate with it. And here they made some suggestions, which surely must have raised suspicions in the ambassador. The governor had taunted them that, although he knew they were bound to England, yet their feudal following would come out for him and Scotland when there was an English invasion. Glencairn's comment on this was, that the fact of their eldest sons being detained as hostages in England was much against "his majesty's prisoners" being able to bring out their vassals in his cause; and it would strengthen their hands if the hostages were released. When they found that there was reluctance to comply with this proposal, there was

[1] Sadler State Papers, i. 104.

complaint made rather haughtily, and "with a great oath," of unjust suspicions entertained against them by the King of England.[1]

[1] The following is a characteristic specimen of the kind of news which Sadler had to report to his master: "This evening came to me the said Earl of Glencairn, who showed me 'that the governor was much altered, and utterly determined to abide the extremity of the war, rather than condescend to the accomplishment of your majesty's desires, in such sort as is contained in the schedule delivered to their ambassadors which they have sent hither.' And also a great number of the Council being now here were of the same opinion, none standing with your majesty's desires but your majesty's prisoners, and such as they have drawn to their devotion, as the Earl Marishal and the Lord Ruthven. And as for Sir George Douglas, he hath no voice in Council; so as when all the lords and bishops shall assemble, unto which time they have put off the further consultation of this matter—that is to say, till Sunday or Monday next—the said Earl of Glencairn assureth me, 'there will be six voices against your majesty to their one. Wherefore,' he saith, 'if your majesty be resolved to stand upon those points, it shall be requisite to prepare your force and army both by land and sea, and in time to declare your high pleasure how your majesty will resolve for them which be here your prisoners; whether they shall make them ready to enter at their day into England, or remain here together to put themselves in force, able to keep a party in this country till your majesty's army come to them; and what shall be your majesty's pleasure in that part, they will undoubtedly follow the same to the uttermost of their powers.' I told him, it should be most requisite for them in time to look to the surety of the person of the young queen, and to get her into their hands, if it was possible. And he said, 'the governor would nowise now remove her to the Castle of Edinburgh, but they would have sure regard that he should not take her away to any other place without resistance to their possibility, and will do what they can to be sure of her.' Besides that, I told him, it were more than necessary for them to get some of the strongholds into their hands, according to your majesty's former advice. Whereunto he answered, 'that your majesty should be sure of Temptallon, and such other strongholds as were in hands of the Lord Maxwell; the rest,' he said, 'were hard to come by, but he believed they should be able to keep and hold this town maugre the governor and all his partakers, and trusted also to keep him here with them, either with or against his will, while your majesty's army should arrive: Praying me to advertise your majesty with all speed thereof, to the intent they may the sooner know what your gracious pleasure is to have them do; for the execution whereof they will put themselves in readiness accordingly.' I said, it was much to my marvel, why the

The affair of the French alliance had much the same course as that of the sending of "the child." There were no words strong enough to express devotion to King Henry and aversion to France. Each one pro-

governor, or any good Scotsman, should refuse your majesty's said desires, considering they were so reasonable and so beneficial for them, and prayed him to tell me upon what point they stuck so fast? He answered, 'that in nowise would they agree to the delivery of the child within two years.' I asked him, what time they would require for her delivery? He said, 'they would have her eleven years old first; but in that point, for the certain time, they were not yet resolved, but had put it off to the assembly of the whole Council; and for pledges,' he thought, 'they would come to it hardly. And likewise, for the perpetual peace, he trusted, that a great many would be of their opinion, to grant it in such sort as your majesty required it; but for the delivery of the child within two years, he saw perfectly they would never grant it. And also the governor,' he saith, 'doth much mislike the appointment by your majesty of his government, with such conditions and qualifications as in the said schedule is expressed, which he will in nowise accept. These things,' he saith, 'they stick upon, which, for his part, he thinketh nevertheless reasonable,' and saith, 'he told so the governor; advising him to look well upon them, and to bear off the inconveniences which might follow the refusal of the same.' And also he saith, 'he told the said governor that he might be sure of the war, if he should not herein apply to reason, which it should be more than necessary for him to consider and foresee how they might be able to resist it; which, if he weighed well, he should soon perceive a great lack and diffurniture.' Whereunto he saith, the governor answered quickly, 'That this realm had defended itself hitherto, and God would help them in their right; and as for him, he told him, he spake only for his own part, and such as were your majesty's prisoners, which, though they were all tied in fetters in England, he should nevertheless cause their friends and kinsmen serve in their places.' And the Earl of Glencairn saith, he told him plainly again, 'that if they were all tied in fetters in England, he might be sure, that never a friend nor kinsman of theirs would serve him till they were loose; and that he spake not so much for his own part, because he was your majesty's prisoner, but of his very duty and special zeal he hath to the preservation of the young queen and benefit of this realm; which, he telleth me, that he and all the rest of your majesty's servants and friends here will make their quarrel, and stand fast to your majesty in the same, according to their promise, if this matter grow to such extremity, as is now very like. In which case,' he saith, 'both he and the Lord Maxwell shall have great lack of their eldest sons remaining pledges for them in England.' And

mised this line of conduct for himself, but when it was put that the ancient league should be abandoned and superseded by a league with England against France,—no, that they dared not do, it was useless to

here, again, he prayed me to remember your majesty thereof; and also, that it might please the same shortly to signify unto him and the rest of that party your grace's pleasure in the premisses; how they shall proceed, either to put themselves in readiness to repair to your majesty at their day of entry, or remain for putting themselves in force, to keep some part of this realm in their power, to join with your majesty's army, when it shall please your highness to send the same; and, upon knowledge of your majesty's pleasure in that behalf, they will not fail to execute the same to their uttermost power, which I promised that I would write to your highness accordingly. . . . I bear them still in hand, that your majesty will not relent in any part of your desires, the same being so reasonable as they ought not to be refused here. 'In which case,' they say, 'your majesty must then win the same by force, for otherwise it will not be granted; and, if it come to that point, they will serve your majesty as they have promised.' But here they complained much of the lack of silver to bear their charges withal; saying, 'that the entertainment of such companies as they keep here about them, is so chargeable to them, as, without your majesty's help, they be not able to sustain it; and yet,' say they, 'if they had not had such force and strength here with them, as whereby they might be able to be too strong a party for the other side, it was very like that the governor would have left them, and also percase would have devised to have betrapped some of them.' I told them, they might be sure their service could not be lost; for your majesty was a prince of such honour, as both could and would consider every man's service, and reward the same accordingly—which he confessed. And the Lord Maxwell told me apart, 'That indeed he lacked silver, and had no way of relief but to your majesty;' which he prayed me to signify unto the same. I asked him, what would relieve him? and he said, £300; 'for the which,' he said, 'as your majesty seemed, when he was with your grace, to have him in more trust and credit than the rest of your majesty's prisoners, so he trusted to do you as good service as any of them; and amongst them they will do you such service, as, if the war succeed, ye shall make an easy conquest of this realm; as for his part, he shall deliver into your hands, at the entry of your army, the keys of the same on the west marches, being all the strongholds there in his custody.' I offered him presently to write to my Lord of Suffolk for £100 for him, if he would; but he said, 'he would stay till he heard again from your majesty in that behalf.' Also the Earl of Glencairn, and the said Lord Maxwell, asked me, 'Whether I had answer from your majesty for the changing

speak of it in the present state of feeling; King Henry must be content with their private, personal, and absolutely secret intentions in his favour.

About the month of May affairs began to have a rather more hopeful look—a very fair compromise seemed obtainable. Sadler had managed, by patience and hard work, to obtain an idea of the instructions to the Scots ambassadors, and they were not so extreme as he feared. He satisfied himself, too, that they might without risk go a little further in Henry's direction even than their instructions warranted. He implored his master to be reasonable and yield a little, that he might gain more in the end. They would not and could not immediately give up "the child," nor could they abjure the old French league. He besought the Privy Council to deal with the king, keeping in view that "if it may please the king's majesty to embrace and accept that which now may be obtained without force, I see great likelihood and appearance that within a little time his majesty shall be able to work what he will in this realm at his grace's pleasure; and may, in my poor opinion, by gentle means have all

of their pledges?' saying, 'they had a marvellous great lack of their eldest sons.' I told them, I had no word thereof. And then the Lord Maxwell sware a great oath, 'that he thought your majesty had them in some suspicion; and yet, for all that, they would be true men to your majesty.' The Earl of Glencairn prayed me 'to write to your majesty, and to beseech the same for the passion of God, to encourage them so much, as to give them trust, for they were already commonly hated here for your majesty's sake, and throughout the realm called the English lords; and such ballads and songs made of them, how the English angels had corrupted them, as have not been heard; so as they have almost lost the hearts of the common people of this realm, and be also suspected of the governor and nobility of the same; and if your majesty should also mistrust them, they were in a hard case.'"—State Papers and Letters of Sir Ralph Sadler, i. 147-50, 164-66.

the nobility of the same induced to his own will and devotion."[1]

On the 1st of July 1543, two treaties were adjusted in London; one for an alliance between England and Scotland, the other for the marriage of Prince Edward to the Queen of Scots. The treaty included the allies on both sides, and France was named among the allies of Scotland. Thus Henry had not carried his point of the abjuration of the old league; yet the Scots ambassadors were charged with yielding more than they had a right to yield when they did not insert the old positive clause of King James IV.'s day, which required Scotland to attack England whenever there was war between England and France. On the other more essential point, of giving up "the child," there was also a compromise. She was to be given up at the end of ten years, and then the ceremony of marriage was to be performed. It was to be a real actual marriage in face of the Church, not a mere contract, though of course the young people would continue to live apart, and the Scots princess was to take rank as Queen of England. George Douglas got the credit of suggesting the ten years' suspension, and of illustrating the wisdom of the plan by an Oriental story. A slave condemned to death engaged that, if his execution were postponed for ten years, he would, ere that time elapsed, have taught the sultan's favourite donkey to speak. There were three events likely to occur in that period—the sultan might die, so might the donkey, so might he himself. Six Scots nobles were to be sent to Henry's Court as hostages for the performance of the stipulations by Scotland. One of the professed reasons for

[1] Sadler State Papers, i. 187.

demanding immediate delivery of "the child" was the desirableness that a queen of England should be fostered in English ways and live among English people. To do what was available for this end, she was to have a sort of English household; an Englishman of rank, character, and becoming gravity of demeanour was to be at the head of it, and he might have his wife, or if need be, other gentlewomen, to fill the female department.[1] The treaty contained full and clear stipulations for the preservation of the independent sovereignty and name of Scotland as distinct from England, and for the retention of the crown by the heirs of the queen, should there be no descendant of the marriage to inherit both crowns.

The supreme influence which the nationality above referred to exercised on the history that has now to be told, makes it unnecessary to load the narrative with movements which otherwise might have been of interest. These are the external efforts which the

[1] See the treaties, Fœdera, xiv. 788, 796. Sadler and his wife were offered the chief places in this establishment. In acknowledging the offer, which, as we shall see, there never was an opportunity to fulfil, Sadler says, "I have thought it my bounden duty to render unto your royal majesty my humble and lowly thanks upon my knees, for that it hath pleased your majesty to conceive such an opinion of us as to think us meet to serve your highness in a place of such trust and credit." Strong expressions like this are apt to precede a difficulty. Sadler evidently thought there was little prospect of domestic comfort and happiness in their joint elevation to so perilous a post. He therefore gave reasons against the arrangement, which, whether justified or not, were of a kind to be conclusive; his wife was not a person whose condition and breeding would suit so courtly an office. "She is most unmeet to serve for such a purpose as your majesty hath now appointed, having never been brought up at Court, nor knowing what appertaineth thereto; so that, for lack of wit and convenient experience in all behalfs, she is undoubtedly not able to supply the place to your majesty's honour." —Sadler State Papers, i. 229, 230.

several parties made to show their power in bringing out large followings. There were musters in the interests of "the cardinal," others for the governor and his friends, and others again for what was felt more than seen to be a party separate from either, the Douglases and "the English lords." These demonstrations and threats were of much interest at the time, when no one could tell the shape events were to take. Had the result been a civil war in which these forces were ranged against each other, their nature and divisions would have been interesting still, and it would have been proper to unravel all the confused notices of musterings and marches. But the question of national independence or national degradation, which resolved itself into the question of the French or the English interest, swallowed up all others; with whatever purpose raised, all available forces amalgamated into a national army, and especially every effort to raise a force for the special purposes of England, ended in a blank.

There was, however, one feat accomplished by a party muster which deserves to be separately mentioned. Until the month of July 1543, the infant queen remained in Linlithgow, where she was born. The beautiful palace there was not strong, and, in the critical condition of the time, the governor and his friends came under suspicion for retaining the precious infant in so insecure a place. There was a great meeting of the cardinal's party at St Andrews. Here there were several feudal chiefs, who, after council held, dispersed to their several countries, Highland and Lowland, and "ilk ane gathered their own folks." There were among the leaders the Highland potentates

Lennox, Argyle, and Huntly; from the border came the Homes, the Kerrs, and the Scots. These altogether made an army between ten and twenty thousand strong, quite irresistible to any force which the governor or "the English lords," were they to act with him, could show. This host took peaceful possession of the queen and her mother, and removed them to Stirling, which, from vicinity to the Highlands and distance from England, was held to be a safer place of refuge than Edinburgh.[1] The Estates, which met in December, ratified this stroke, declaring that those concerned "did no thing contrary to the queen's authority, my lord governor's, and the common weal of the realm."[2]

The formal adoption of the treaties was evidently a great relief to the lovers of peace, dreading what might come of the fierce impatience of Henry and the proud obstinacy of the Scots. But there speedily arose a heavy cloud. Short as the Scots commissioners had come of the demands of Henry, they had gone too far for the popular view of the national honour. By Scots practice, the treaty had yet to be ratified by the Estates; and it was a question whether the Estates would ratify it, or dared do so if they would. Under ordinary conditions, ambassadors might virtually pledge the Government, and the revisal of their engagements by the Estates might be a mere form. But in a case where the national spirit was roused, as it now was, it was anything but a form. The ambassadors, it was said, supposing that they had not absolute authority for what they had consented to, had yet in their act

[1] Diurnal of Occurrents, 28.

[2] Act. Parl., ii. 429.

followed up the line of policy prevalent at the meeting of the Estates by which they were commissioned. But, on the other hand, it was maintained that this was but a meagre and partial assemblage of the representatives of the country. If the momentous character of the business brought together a fuller meeting of the Estates, they were not only technically and legally entitled, but in duty bound, to revise what had been done by the commissioners.

Such difficulties seemed to be all over when the king received a letter from his ambassador, saying, "Please it your royal majesty to understand that this day the treaties were ratified and confirmed here in Edinburgh, and the governor in my presence hath renounced and sworn, according to the purport of the same, which was solemnly done at the high mass, solemnly sung with shalms and sackbuts, in the Abbey Church of the Holyrood House. And although the cardinal and his complices were absent, yet the thing was done with their consent, and in the name and by authority of the queen and three Estates of the realm, in presence of the greater part of the nobility of the same, and notaries also present, which have made their instruments thereupon, as shall appear to your majesty by the said treaties, wherewith the governor sendeth presently in trust a gentleman to your majesty, named the Laird of Fyvie, who is a right honest gentleman, and well affected to your highness; and he is sent to be present at the ratification and oath to be made by your majesty of and upon the said treaties accordingly."[1] This letter was dated on the 25th of August 1543. On the 5th of September the ambassador had

[1] Sadler State Papers, i. 270, 271.

to announce "a wonderful change here," interrupting all his business. "For the governor being left here alone, saving only the Abbot of Paisley and David Panter, which are suspect to be of the cardinal's faction, is now revolted unto the said cardinal and his complices." The governor, it seems, had slipped out of Edinburgh, under pretext of domestic anxieties. At the Lord Livingston's house of Callander, where a few friends of both parties were assembled, the cardinal and he shook hands, and agreed to co-operate on the common ground of opposition to English interference.

Such was "the revolt" of the governor, as Sadler calls it; for throughout this correspondence everything done against Henry by the Scots whom he expected to serve him is spoken of as a sort of rebellion or treason against him. A revulsion so sudden and seemingly unexpected, and that by a responsible statesman, has excited much speculation about the motives or conditions by which he was influenced. Was his conduct all dissimulation, insomuch that, when he took his solemn oath to the treaties in presence of the ambassador, it was all done to lull suspicion and facilitate a deep-laid plan of treachery? Or was it that he was so facile that he was prevailed on to change his whole policy by the persuasive talk of two clever friends of the cardinal? It may be noted that they were persons of whom Arran must have had considerable experience. The Abbot of Paisley was John Hamilton, his illegitimate brother, a man who will appear again in shapes not of a pleasant kind. The other, David Panter, was an eminent scholar, and a diplomatist, in the old sense of the term, as a man able to put political proceedings into good Latin.

We shall perhaps find our conclusions more satisfactory if we limit the influence of Arran's character to the shape taken by the affair, especially its extreme suddenness, and count that the position ultimately taken was the inevitable result of a great national pressure. A man with more firmness and more scruple than Arran might have put the revolution into more approved shape. He might have seen it afar, and have conformed here and resisted there, so as to have moulded it into something looking very like a policy of his own. Or he might have resisted it, and been crushed. Neither of these courses suited Arran's temperament. He felt the pressure, and gave way at once at the point where he felt it too strong for him. He would not be put out of office for resisting what was easily done; he soon after showed that he would not stay in office to do what was difficult. He, therefore, let things take their course. Afterwards, he kept as much as he could out of sight of the English ambassador, and, when they needs must meet, he laughed off the whole, and took everything good-humouredly.

At a later time this conjunction of forces is spoken of as one of the interruptions of the Reformation; but with that great movement it had no concern. No doubt, if Henry had had his will, he would have forced all his own views on Scotland, and, in resisting him, the country, in an ultimate sense, resisted these; but the simple question of foreign rule, not the religious opinions likely to follow that rule, was the question before the country. However the doctrines of the Reformation might be creeping into opinion, they were as yet a still small voice, not sufficient to affect in any way the loud demand of national independence.

The position of Scotland in relation to the treaty now was, that any approval of it had been carried in a packed Parliament, and was void. A full meeting of the Estates would now be held, and it was believed that such a meeting would be hostile to the treaties. Before it had even come to this, Henry was irritated by delays and general appearances; and the utterances of his wrath are perceptible in the state papers, like the growling of distant thunder. He chafed angrily at the demands, modified as they were, of the Scots ambassadors, and at the disposition of his servants to abate his own demands. He was impatient to get rid of these home difficulties, and begin his war in France. This very impatience seems to have induced him to submit to the modification; but when he found that the humiliation he had submitted to was thrown away, that impatience turned the fiercer. Of all ways of dealing with the difficulty, he seized that which, looking to the nature of the people he had to do with, was the very worst. He swore that he would take to force and seize "the child;" he would drag her out of the strongest fortress they could hold her in. It was useless for his advisers to tell him that such a project was vain. Mischief enough he might do, but he would never get the child; for if the force he sent were sufficient to threaten the fortress in which she might be defended, she would be spirited away into the distant wilds of the Highlands—a district as impenetrable to an English army, almost as unknown, as the interior of Africa.

In his fury, he could not await the usual arrangements for a war, but made a dash at any act of injury to Scotland close at hand. He ordered the seizure of certain Scottish merchant vessels, running from stress

of weather into English ports, in full reliance on the protection afforded to them by the truce. This was done, of course, through the ordinary forms for such a purpose, and in ordinary conditions might be spoken of more aptly as the doing of the Government rather than of the king. But this and many like acts were Henry's own work. On Scotland he could let loose his fury without the risks incurred nearer home. The elements of the English constitution were strengthening during the Tudor dynasty, tyrannical and autocratic as its action might sometimes appear to be. For the freedom of the subject, the protection of property, the exemption from arbitrary taxation, there were great constitutional barriers. It was ever the terror of Henry's advisers that, in his fury, he might break through these, and perhaps meet destruction. War with Scotland was a good safety-valve for this explosive power. Long enmity had given the people a strong national hatred against the Scots, and some brilliant victories had given a proud tradition to a Scots war. Every one knew that however an invading army might suffer in Scotland, that country had not strength enough to do solid mischief within England. There was thus no fear of retribution for any mischief, however desolating it might be, inflicted on Scotland; nor was there much anxiety about observance of the laws of war, or any other laws there. Henry had thus one field in which, when he could get at it, he was tolerably free to let out his fury.

Such accounts as Henry got of his friends in Scotland served rather to feed his anger than to allay it. The "assured Scots," or "English lords," were to bring a great force of retainers to his aid. The watchful

Sadler, however, could find no better evidence for the existence of this force than the many demands of the lords for money to pay them. Though he excuses them for not making a wanton display of their musterings, yet he notices that they do not "bring any force or number of men with them, but only their household servants."[1] It was his opinion, from all he saw, that Henry, if he were to make up a force for an invasion, had better fix its scale without trusting to aid in Scotland. He would wish "that his majesty should send no less power to repress and daunt the untruth of this nation than if his majesty had no friends here at all, for there is none assurance to be made of their assistance."[2]

A sort of committee of the English border leaders gave their opinion to Henry touching the prospects of an invasion. Among them were Sir Thomas Wharton, Sir Ralph Eure, and Sir John Louther—men of experience in the affairs of the border. As the groundwork of their opinions, they say, in words not to be mistaken, "We did consider and take all Scotsmen to be as enemies to the king his highness. We think that and if the army do invade, they must destroy and waste for their own reliefs and other occasions all enemies and friends together in their way. Wherefore, and for the king his majesty's better service in that point amongst others, we think not convenient that the said army should invade this winter, lest it should make enemies of friends, if there be any; for by the invasion of the army we think it will occasion all Scotsmen, and especially the whole common people, to band with all their force together to be against all

[1] Sadler State Papers, i. 313. [2] Ibid., 292.

Englishmen within their own realm; for we all have heard say, by divers and many Scotsmen, that they all will join together in their own realm against all Englishmen. And some of us knoweth as it hath been said that if main invasion be made, that there are Scotsmen will refuse their own masters within their realm against Englishmen."[1] He was warned precisely in the same tone by his faithful Suffolk; but his obstinate fiend had then such possession of him that he answered the admonition by dismissing the admonisher from his lieutenancy.[2]

We are accustomed to believe that at that period

[1] State Papers (Henry VIII.), v. 341.

[2] "Most humbly beseeching your highness of pardon for that I shall declare my poor opinion what I think, as far as my power will extend unto, that annoyance by sea could do your highness's enemies, which is only the burning of Edinburgh, if the castle will not yield, which I fear me will not; but I think it must be won by force, which I fear the army, which shall go by sea, will not do. And, also, the said army may destroy, on both sides the Forth, such places near unto their ships, as footmen may do, having neither horsemen nor carriage; which, when it is done, your majesty, not offended, shall be never the nearer of your highness's godly and noble purpose; nor these that counteth themselves your majesty's friends, if ye have any there, either to be helped or relieved thereby, but rather to be in the worse case. For, as I think, all Scotland will say, What false traitors are these, or, Unhappy men are they, that will take the King of England's part, or think that the King of England intended any good to the young queen his niece, or the realm of Scotland, but only to the destruction of the same. By reason whereof, after Edinburgh so burnt, your highness shall have nothing in Scotland but by the sword and conquest. For I think that they which show themselves most assured to your majesty, after that done, will show themselves your highness's enemies to the uttermost of their power. And if this way of invasion by land shall stand with your majesty's pleasure, it should be requisite, as I am sure your highness can most prudently consider, to appoint my Lord of Hertford and some good and wise men of experience, for the ordering and conducting the said army; as also to give him good counsel (for there is little help in these parts) how he should use the Scots; for they are strange men to meddle with, and little to trust to." —Hamilton Papers, 90, 91.

the feudal system was rigidly in force in Scotland, and that all the common people were at the bidding of their territorial lords. The correspondence of the time, however, is full of evidence that the feudal authority would be utterly insufficient to draw any of the common people to help an English invasion. The governor, in one of his oscillations, had admitted to Sadler that the use of five thousand English soldiers would be a convenient help in bringing the difficulties with the cardinal to a conclusion. But presently Sadler has to report, "Touching the English men-at-arms," he said, "that he and other your majesty's friends here had well debated that matter in council, and with good advertisement they had found that if it came so to pass that they must seek for aid of Englishmen, it would not then be the number of five thousand that should help them, for the bringing in of five thousand Englishmen should cause twenty thousand Scotsmen forsake them and run to their enemies; assuring me that, whensoever they brought in Englishmen, all their own friends and tenants, or at least the greatest number of them, will utterly leave them."[1] And again, "Though such noblemen as pretend to be the king's majesty's friends here could be contented, as they say, that his majesty had the superiority of this realm, yet I assure your lordship, to say as I think, there is not one of them that hath two servants or friends that is of the same mind, or that would take their parts in that behalf."[2] Sadler, in his letters to the English Court, had to reiterate this result of his experience, as if he found that it was not rightly taken in. A few days later he says, "Though the Earl of

[1] Sadler State Papers, i. 255. [2] Ibid., 326.

Angus and the rest of that side be all well dedicate to the king's majesty, as they pretend, yet, considering the motive of this nation towards England, which they would in howise should have any superiority or dominion over them, I see not that the said earls or others of that side can be sure almost of their own servants in that quarrel. So that I think it must be that fear of the king's majesty's force which must make them yield to that which they would never do if they could find themselves able to resist it. This I have touched afore to your lordships, and now write it again, because whosoever had continued here in my place so long as I have been here, though he had but half an eye, could easily see it."[1] This view was urged by the ambassador with the object of impressing on the English Government that any force sent to Scotland must be sufficient to hold its own; it could look for no assistance—it could look for nothing but unanimous and bitter animosity in Scotland.

When the "English lords" dispersed at the conclusion of the sittings of the Estates, Sadler was anxious to go with them, and visit about in their country-houses, that he might see how they gathered their vassals; but they ever evaded his desire, with a lack of hospitality not characteristic of Scotland. There were two very powerful reasons for keeping clear of him: the one was, that he might see—what, however, he already knew—that they had no followers; the other, that his presence among them would be dangerous to them. Incidents of a trifling nature show how isolated these men were, how dangerous their position had become, and how necessary it was care-

[1] Sadler State Papers, i. 330, 331.

fully to avoid anything that the vigilant suspicion of the country could seize on.[1]

These "English lords" were in a curious position, which brings forth in a practical shape some specialties of the times. Each of them had, as we have seen, left a pledge or hostage for his return, generally his eldest son; and we have also seen that they had the assurance to ask these pledges to be sent to them, as without them they would have difficulty in getting their people to rise. But King Henry, though he did not know his men entirely, knew them too well to be duped to that extent. When the time came for their "entry" or return to England, they pleaded for a prorogation of their absence, and it was conceded. But at the end of the prorogation there were still difficulties; and at last it became pretty clear that they would not return. One of them did, and repented of it. It was Maxwell, who was sent to the Tower. Hertford says, "When he perceived he should go to London, albeit we kept it from his knowledge that he should go to the Tower,

[1] The perilous adventures of a poor messenger sent by Wharton with despatches from the king and himself to the Lords Fleming and Maxwell, are a romance of the road at that time. A Scotsman who had accompanied him, when they knocked at the Lord Fleming's gate, and were asked who they came from, said, From Robert Maxwell—noticing to the messenger that, if he said they came on a message from Wharton, Fleming's own porter would have refused them admission to him. Maxwell, astonished at such a phenomenon as a messenger from England, said, "Jesus benedicite! how thou durst come hither? But I am glad that thou art come to my house; and since thou art here, the highest stone shall be the lowest ere thou shalt take any skaith."—State Papers (Henry VIII.), v. 368. Henry demanded the personal attendance of the Earls of Lennox and Glencairn; but Hertford reported that "the said earls would most gladly come to your highness, if they could pass through Scotland to the borders without danger of their enemies." Yet the old story is repeated of how promptly they will attend with a force when his majesty invades Scotland.—Ibid., 381.

he was in so great a perplexity and heaviness that he could neither eat, drink, nor sleep; requiring that I, the said earl, would either use his service now in the wars, where he would serve with the red cross on his coat as an English soldier, in such sort as it would well appear he would serve himself a true Englishman, or else, if I did mistrust him, that I would imprison him here in this town."[1] There are two curious documents, called "confessions," by this Maxwell. One of these apparently not being satisfactory, means had been found, whether by threat or bribery, to bring out in the other admissions that must have convinced Henry how hopeless it was to look for material aid among Scotsmen for the subjugation of Scotland.

"The governor of Scotland asked me what he should do concerning the realm of Scotland, and I said unto him, 'If I were in the room of a governor, as ye be—the which is in the nonage of the young queen protector and defender—I would not yield the realm of Scotland to no prince christened for no forcible ways.'

"Also the queen and the governor and the Council of Scotland commanded me that I should not go forth of Scotland, but to remain there and do as they would do, and I said, 'I will go to the king's majesty and to keep my promise, for it standeth upon mine honour;' and also said, 'If I do go, ye miss but one man;' and more I said, 'Are not you governor? Do I not leave behind me all my servants, all my tenants, my lands, and my goods? What need ye fear whether I go or tarry?'"[2] So when he made his "entry," his son, who had been his hostage, went down and levied his vassals for the defence of the country, like a good Scots-

[1] State Papers (Henry VIII.), v. 479. [2] Ibid., 429, 430.

man. The others seem to have generally yielded to the pressure laid on them to stay where they were.

Their statement was briefly, "that the governor of Scotland hath charged them on pain of treason not to enter without his licence, which they say they cannot obtain."[1]

Henry expressed himself as indignant at their callousness, in leaving the hostages to their fate; but they knew, as he seems to have found when he thought better of it, that cruelty to these would be a very dark stain on the character of a monarch. In war, a hostage was often a person who is to be put to death if his principal fail of some promise, such as the rendering of a fortress on a certain day, if not succoured. But the penalty risked by these was not of so extreme a kind. Their principals were prisoners of war, entitled to liberation on ransom. The amount of ransom to be demanded for each had been adjusted, and posted up as a debt for which he stood in pawn. He was thus a civil debtor, and the hostage took his place for the time as pledge for the debt, nothing more; and for the payment of those sums funds seem to have been provided out of some available ecclesiastical property. It was not very safe to trust to the precise strength of such restraints as sufficient to hold back King Henry in his fits of rage. But if he had been ready to do violence on those who had deceived him so largely, it would have aggravated the outrage to perpetrate it on their unoffending hostages. That was, doubtless, the consideration that made the principals think it wise, on the whole, to yield to the pressure detaining them in Scotland.

[1] State Papers (Henry VIII.), v. 455.

But there were other considerations. There were many English prisoners at the disposal of Scotland—some on parole at home, others detained in Scotland. Sadler suggested a shrewd scheme for getting over as many of these as possible on parole, or engagement to re-enter. When a large body of these was collected, then, as Scotland had set such a precedent, proclamation was to be made that none of them should venture to return to their captivity without the royal licence. Farther, by some skilful shuffling, "as well in the delivery in exchange of such Scots prisoners as were taken at Solway Moss—except the noblemen—as also of such pledges being but children and not esteemed, as lie for borderers for keeping assurances," it appeared to Sadler that there was a probability of doing a piece of trade profitable on the whole, insomuch that "we should shortly discharge and set free all the English gentlemen of reputation, and make the bargains in such sort as shall be more to our advantage than the Scots."[1]

So much for the prisoners taken at Solway Moss, who were released on parole on the condition that they were to do brilliant service to King Henry in Scotland. But he had to realise first the risk and then the certainty of another defection still more irritating. On the prisoners he had no claims beyond those arising from a mere bargain, which they could not be expected to keep under heavy discouragements. They had got harsh usage from him at the beginning, and their connection was not of a kind to foster loyal and grateful feelings. But Angus and his brother had come to him as impoverished fugitives. He had not

[1] State Papers (Henry VIII.), v. 456.

only protected them from their vindictive master, but entertained them with a liberal hospitality suited to the high estate from which they had fallen. The king had, perhaps, his own objects in this; but it did not become one who had for fifteen years partaken of the princely bounty to reason himself into the existence of such objects, and count that they cleared all scores between him and his benefactor. But these Douglases, far from raising an army to carry their master's projects, were sullen and inaccessible to the English ambassador, and on terms suspiciously cordial with the leaders of the national party. After "the governor's revolt," and before there was any distinct resolution in Scotland to abjure the treaties, Henry sent Sir Anthony Brown, with specific instructions to confer with the chief managers for England in the north—the Duke of Suffolk, Parr the warden, and the Bishop of Durham. The chief problem on which they were to deliberate was the perfidy of the Scots and the proper punishment for their offences, "unless the said Scots shall, with all humility and without desire of any alteration of any point of the said treaties, make petition to his majesty, with the present offer also of such assurance as his majesty shall be contented to accept, so it may please his highness to pardon their remissness, and to accept their offer and suit;" and the alternative is, "that his majesty should so daunt them by force, as they may be compelled to know their ungentle and lewd proceeding with his majesty in this behalf."[1] To come to particulars, as they are likely to meet Sir George Douglas, they "shall frankly enter with the said Sir George to know

[1] State Papers (Henry VIII.), v. 337.

certainly of him how that first his brother, the Earl of Angus, with their friends, will now do for his majesty; expressing plainly unto him how that first his brother, the Earl of Angus, a little before his going into Scotland, said he durst undertake to set the crown of Scotland upon his majesty's head before midsummer then following; how that he, the said Sir George after, and also divers others, have continually sued to his majesty to bear and tolerate, alleging that with sufferance all things would succeed better and better to his majesty's purpose, whereas indeed nothing hath yet succeeded, but contrariwise ever more from worse to worse, whereby his majesty hath not only spent much money but also lost much advantage otherwise." Sir George is to be reminded of the bond by himself and others; and a proclamation, drawn up in England, is sent that it may be issued by him. The terms of the proclamation we have not, but it is easy to believe that few events were more improbable than that Douglas should make it public, or be remiss in his care for its concealment and suppression. If Sir Anthony, however, finds him "slack and full of casting perils," he is to be told "his majesty will no longer feed them with money as he hath done, unless he see more fruit thereof than he hath done hitherto." Steps are to be taken to ascertain the amount of reality at the foundation of the brilliant promises of assistance by the Douglases; and so, when Suffolk and the others meet Sir George, they "shall demand of him what friends they have that they think will surely adhere and stick unto them, and shall cause him to give the names of as many as they be perfectly sure of in writing. And if he shall seem to doubt of any

of those that he shall call his friends, then be plainly told him that it shall not be expedient to put any one man in as his friend that he is not most sure of; and so they shall cause him to make his book of no more than may be accounted sure for their party, and if they use themselves otherwise, then to be taken as no friends." After a scrutiny on this principle, the force which Angus could bring into the field in aid of England might at once for all purposes be returned blank. The document next gives instruction for the secret levy of eight thousand horsemen and two thousand light footmen, to be in readiness for service in Scotland.[1]

[1] State Papers (Henry VIII.), v. 339.

CHAPTER XXXV.

Regency of Arran.

(Continued.)

LENNOX, A PARTISAN OF THE ENGLISH INTEREST—GETS POSSESSION OF THE MONEY SENT BY FRANCE—ENGLISH ATTACKS ON THE BORDER—RE-DISCUSSION OF THE TREATY WITH ENGLAND AND FRENCH ALLIANCE—FORMIDABLE STATE OF POPULAR FEELING AGAINST ENGLAND—SADLER PERPLEXED—HENRY TAKES MEASURES TOWARDS HIS "ASSURED LORDS"—FINDS THEM IMPRACTICABLE — PREPARATIONS FOR PUNISHING THEM AND THE COUNTRY—UNABLE TO SEND A FORCE SUFFICIENT FOR CONQUEST, SENDS ONE FOR MISCHIEF—THE INSTRUCTIONS TO HERTFORD—HOW HE FULFILLED THEM—BURNING OF EDINBURGH—DESTRUCTION IN FIFE—BATTLE OF ANCRUM—HENRY'S ATTEMPTS TO SECURE THE ALLEGIANCE OF THE BORDERERS—A CONFERENCE WITH A BORDER CHIEF, AND ITS RESULT—ANOTHER WASTING EXPEDITION ON THE SCOTS BORDER—SIEGE OF KELSO—UNPRECEDENTED WASTING—DESTRUCTION BY THE ENGLISH OF RELIGIOUS ESTABLISHMENTS WRONGLY ATTRIBUTED TO THE SCOTS REFORMERS.

WHILE the compact body of men with whom Henry seemed to have made so close and distinct a bargain thus dissolved into nothing, he obtained an unexpected adherent. Of all who were expected, from position and interest, to be thorough champions of the French party, Lennox, who belonged to the great French house of D'Aubigne, was first; but he turned suddenly round, and became Henry's only effectual supporter in

Scotland. It is not difficult to account for this. What seemed to fix him to the French alliance, in reality made him open to any personal influence. He could not be called a Scotsman, for the fortunes of his house were laid in France; and he had been reared abroad, serving in the Continental wars. He was then seeking in marriage the daughter of Angus by Queen Margaret. This brought him to seek favour of Angus himself, but more of Henry VIII., the young lady's uncle. The suddenness and unexpected character of his change of allegiance enabled him to do a clever little bit of effective service to his new master. He was governor of Dumbarton Castle at the time when the Sieur de la Brosse appeared on the west coast, bringing a small fleet from France and a money aid of ten thousand crowns. The money was conveyed into Dumbarton Castle for safety, and there Lennox gravely received it and closed his gates to further communication with the French.[1] Whether or not he ever accounted for the cash so received in any other quarter, it was lost to the friends of France, for whom it was intended, and consequently to the Scottish Government and people.

On the 24th of September 1543, the ambassador had to report to his master something conclusive, but by no means propitiously so, in the matter of the treaties. There had just been held a solemn conference, in which he was to hear the views of the Scottish Government. There were present the Queen-dowager, the Governor Arran, Cardinal Beaton, and several nobles and dignified churchmen. The repudiation of a national act formally announced, on the ground that,

[1] Diurnal of Occurrents, 28. Sadler State Papers, i. 298, 314.

although it has the outward aspect of a completed affair, it did not validly pass through the proper sanctions, is a perilous and ungracious process, provocative of suspicions concerning the good faith of those who have recourse to it.[1] But other objections were found. Beaton was selected as the spokesman to announce them to the English ambassador, who, according to his own showing, held his part with skill and courage under the double discouragement of singly facing a hostile assemblage, and inwardly regretting the policy he had to vindicate.

It was maintained that King Henry himself had not given the treaties his solemn ratification by his oath and signature, and the great seal. This was admitted, and it was said that the Scots on their part had not sent up the stipulated hostages—an illogical defence, for the sending of the hostages, being the fulfilment of the treaties, naturally followed their adoption by the proper ratification. There was more in this, however, than could be well told on so public and solemn an occasion; for it was believed in Scotland that, at the very time of the adjustment of the treaty by the commissioners of both nations, Henry had taken renewed obligations from the "English lords." It was believed, as a corollary from this, that he purposely deferred the ratification of the treaties until he should see whether

[1] The question of the parliamentary ratification of the treaties is not in a satisfactory condition. There is no parliamentary record of the ratification. The way in which such matters are casually mentioned by contemporary writers is generally loose, and their statements do not acquire precision or accuracy in the repetition of their tenor by ambitious historians. We have nothing on this matter but brief notices, as where Sadler says, "There was some question of the validity of the treaties, which they alleged to be passed privately, and not by public authority."—Sadler State Papers, i. 304.

these secret friends of his could strengthen his hands for the demand of better terms.

Another point was, that if the English Government counted the treaties a completed business, they had grossly broken faith by invasions of the Scottish border. The troubles on the borders had for some time been resolving themselves into a new shape, in which the Government of Scotland was at the worst only passive. If it could not restrain its people from following the hereditary practices of their race, they got no backing or encouragement. On the other hand, the English borderers were hounded on by the Government, and were supplied with Government money and aided by Government levies. Hence the pressure from the English side was so overwhelming, that the virtual frontier of the territory under English rule was creeping northward and absorbing Scottish territory.

These two were not, however, the strong points in the discussion. The great stand was made on the seizure of the Scots vessels, a fact more palpable and indisputable than anything that could be got out of the confusions of border warfare. The seizure was not denied. It was vindicated, indeed, on a principle that drove the aggression deeper into the heart of the national pride. The freight of the vessels was fish. This fish was to be sold in France. King Henry was at war with France, and the Scots vessels were seized because their cargoes were destined for the supply of his majesty's enemies. The policy of this was that, whenever England was at war with France, the trade between Scotland and her old ally was closed. But the intention of the Estates had been to preserve the ancient

league. They had agreed, with much hesitation, to modify the old rather offensive stipulation which required Scotland to attack England whenever England and France were at war. But still France was specially reserved as the ally of Scotland. If the treaties admitted of the interpretation practically put upon them, then the Scots commissioners had exceeded their powers. But, in reality, King Henry had broken the treaties. Any way, Scotland was not bound by them. The attempt to recriminate was repeated. Again it was urged that at the foundation of the treaties lay the sending of hostages by Scotland, and these hostages were not sent; but, then, was it reasonable to ask Scotland to send hostages to England before England had put the proper formalities to her side of the treaties?

Beaton at last put the affair in a shape which gave the moderation and the reason all to the Scots side. He made a proposition—and if he knew beforehand that it would be rejected, it does credit to his skill as a diplomatist. All cross accusations and recriminations being cleared off, the proposition, in Sadler's words, was, "Whether, in case they should wholly confine themselves to the laying of the hostages and accomplishment of the treaties, I were able to promise, on your majesty's behalf, that your majesty would accept the same, and not only restore the said ships and goods, but also cause all attemptates done on the borders since the time of the abstinence taken to be redressed; as for their part, they would do the semblable." To find the right answer to this must have taxed the skill of one who had to give an account to a master like Henry. And it is not uncharitable to suppose that, in rendering that account, Sadler may have added some little

warmth of colouring to the terms in which he actually spoke of that master's virtues before a Scots assembly. "I was not able," he said, "to assure them, on your majesty's behalf, that your highness would restore the said ships and goods, or cause the said redress of all attemptates on the borders to be made, or yet accept their offer, if they would now conform themselves to the accomplishment of the treaties; but knowing your majesty to be specially affected to the weal of this realm, and to the rest and tranquillity of both the realms, I supposed that, if your majesty might perceive them to proceed faithfully and honourably to the effectual execution of the said treaties, according to the purport of the same, your princely clemency was such as I thought your highness would not only accept the same, but also use towards them all such favour and gratuity from time to time as the amity required; and semblably, I thought, would restore the ships, and cause redress the attemptates done on the borders, they doing the like. This I told them was my supposal, though I were not able, nor would take upon me, to promise the same."

Thus he advised them to commit themselves, and trust to the generosity and princely clemency of Henry VIII. He was asked if he would write and ask what was "his majesty's gracious pleasure" in the matter, and he said he would. He then called on them to declare their "utter minds," or commit themselves before Henry was committed; but that was not their intention; the matters were weighty, and they must needs have time, so in the end the treaties dropped from both sides.[1] The part which Sadler had to take was not to

[1] Sadler State Papers, i. 300-302.

his satisfaction. He pressed on his master the restoration of the ships, but in vain. The affair was brought very closely under his notice, for it appears that the owners of the vessels were chiefly citizens of Edinburgh. "I am secretly informed," he says, "that the inhabitants of this town will not suffer me to depart till they have their ships; and nightly there is a watch about mine house here, which I am made believe is for my surety; but it is told me secretly that it is purposely appointed to watch me that I should not steal away in the night."[1] There seems to have been some private offer made for "the contenting and quieting" of the shipowners, but not in a way consistent with the honour of the nation. Sadler reports, on the 25th of October, that they had made no answer to the proposal; "but, as I am informed, they be greatly offended with that condition, and say they will not only lose their ships and goods without making any further suit for the same, but rather they will lose their lives rather than grant that condition and become traitors to their own country."

The formidable character which popular feeling had taken in Edinburgh required that Sadler should look to his safety. He bitterly upbraided the people, so dead to all the proper rules of diplomatic hospitality as to treat an ambassador with discourtesy and menace; but perhaps those who look at the whole story may be inclined to question whether one, sent on such work as Sadler had to do, could expatiate with clean hands on the sacredness of the ambassador. King Henry wrote a scolding letter to the citizens of Edinburgh about their conduct; but such interference, by the object of all national detestation, was unlikely to amend it. Sadler

[1] Sadler State Papers, i. 308. [2] Ibid., 324.

looked out for a refuge among the professed allies of King Henry; but he was by no means at that time a convenient guest, especially in any house where there might be suspicion of disaffection to Scotland. Angus at last allowed him a corner in his vast fortress of Tantallon. A more dreary retreat for the winter could not well be conceived. Spread over a great wave-beaten rock, it needed all appliances of hospitality, social intercourse, and internal comfort to modify the natural gloom and dreariness; but, in the long absence of its lord, it had become ruinous, and was under repair. The furniture was of the scantiest, and there appears to have been no company in it, nothing but the garrison necessary for defence; but he had to reconcile himself to all this, by reflecting that it was of such strength as to put him out of all danger from the malice of his enemies.[1] Yet he found that all the ways were beset for the interruption of his correspondence, and he noticed that "Oliver Sinclair lieth at a little house within two miles here of Tantallon, with three score horsemen, as I am informed, to lie in wait to catch up me or some of my servants, if we stray too far out of the bounds of this castle." Sinclair, it appears, had devised a shrewd commercial speculation. He was one of the English prisoners on parole, who could only obtain absolute freedom by paying a ransom which he was not able to afford; but if he could catch the ambassador, he thought he might thus have an equivalent to offer for his own person.[2]

From the short uneasy "cessation," the countries were drifting back into actual war. On the 17th of November the governor sent a warrant to Angus, re-

[1] Sadler State Papers, i. 332. [2] Ibid., 333.

quiring him to send Sadler away, who soon after had an order of recall. We thus lose a contemporary chronicle of the history of the time, which, though it lasted but a few months, is an invaluable boon to the historian of the period, as being enriched with the glimpses of the interior of the Scottish world of politics —glimpses opened up by an acute, experienced, and inquisitive observer. At his departure he spoke of the people as a man of ordinary passions who had lost his temper, rather than with the polite restraint of an ambassador; but his wrath was for a private eye, and must be read as words passing between friends.[1]

At a meeting of the Estates held early in December, the treaties were repudiated, as having been broken by King Henry, in the capture of the ships and other acts of hostility. At the same meeting there were present, as ambassadors from France, the Sieur Jaques de la Brosse and Jaques Mesnage, with whom the Estates ratified and renewed "the auld ancient leagues, contracts, and considerations of amity and kindness passed at all times before betwixt the kings of Scotland and

[1] "And whereas your lordship desireth to hear how I am entreated, I assure you there was never so noble a prince's servant as I am so evil entreated as I am amongst these unreasonable people; nor, I think, never man had to do with so rude, so inconstant, and beastly a nation as this is; for they neither esteem the honour of their country nor their own honesty, nor yet—what they ought principally to do—their duty to God, and love and charity to their Christian brethren. Wherefore your lordship may easily conjecture what a pleasant being I have here. And if it may please you to open my letters, which I send in this packet to my said Lords of Suffolk and Durham, ye shall perceive the better how I have been now handled of late. And thus, my very good lord, the Lord of lords keep you in health, with increase of honour, and send me shortly to have the fruition of your most gentle company, out and from the malice and danger of this rude and beastly nation, that hath no manner of respect, no consideration to honour nor honesty."—Sadler to Parr, State Papers (Henry VIII.), v. 335, 336.

of France," receiving from the ambassadors promise of "aid and supply to our sovereign lady the queen's grace and nobles of this realm, for the defence of the same, and liberty thereof, against the King of England."[1]

Events showed that the men whom Henry had wrought so hard to bend to his purpose were more faithful to their national allegiance than to the faith they had so lavishly pledged with him. There may be difference of opinion as to whether this is the heavier or the lighter alternative of their guilt, but we may surely calculate that they would find no absolute vindicators.

Early in the year 1544, in his instructions to the council on the borders, King Henry gives, among other reasons for immediate action, how he had been assured by Angus, Cassilis, and Glencairn, "in how great and imminent danger they and their friends do stand at this present, by reason of the force and power which the cardinal and the Earl of Arran and their adherents do prepare against them, to their utter ruin and destruction; beseeching us, therefore, at whose only hand they can hope of any assured defence and protection, with all convenient diligence to send into that realm, for their relief and preservation, a main army to confound their said enemies, and to establish them and the rest of their friends in quiet and tranquillity; offering to join themselves and all their forces with the said army, and all and every of them to serve us faithfully and truly."[2] This appeal must have been made much about the same time—perhaps on the same day, the 13th of January—in which, "at the Roode Chapel of

[1] Act. Parl., ii. 432.

[2] State Papers (Henry VIII.), v. 362.

Greenside, beside Edinburgh," a document was signed which must have been enlightenment to King Henry, if it fell into his hands. It is a contract between the Earls of Angus, Lennox, Cassilis, and Glencairn on the one side, and Arran the governor on the other. It provides that these earls and their friends and retainers "shall, in all time coming, remain true, faithful, and obedient subjects to our sovereign lady and her authority foresaid; and shall assist and concur with my lord governor and the authority for the defence of the realm against our auld enemies of England, and in actions concerning the common weal, and for liberty of holy kirk and defence of the Christian faith. For the whilk my lord governor, and all the lords and noblemen foresaids, shall accept and receive the said earls, their complices, and part-takers, in hearty love, favour, and kindness, according to their degree and estates." This document is one of the many examples of the propensity in Scotland to put all arrangements, good or bad, legal or illegal, peaceful or warlike, into form of style according to the science of the conveyancers. There is a preamble to recommend the arrangement, as a good undertaking, to the sympathy of all whom it may concern. Its object is "for stanching of apparent danger of battle instantly, and for perfect obedience through all the realm; to induce rest and quietness among all our sovereign lady's lieges, and furthsetting of her authority; and to take away all occasion of division, sedition, insurrection, and rebellion in the realm in time to come; and to have ane perfect unity for the faithful, true, and manly resistance of our auld enemies of England." In what manner the high contracting parties should give each other security

for the performance of their obligations was a matter referred to arbitrators, who gave a "decree arbitral," appointing the entering of certain "pledges" or hostages, and otherwise providing, as well as arbitration and the recording of it could, for the fulfilment of the contract.[1]

Shortly before the adjustment of this alliance, an English herald had appeared in Edinburgh, and made declaration of war. In his cartel he recalled to memory the magnanimous nature of King Henry, his compassionate interest in the sufferings of Scotland from divided councils, his benignant efforts for the welfare of the land, the treacherous ingratitude returned for all his goodness, and the final exhaustion of his long-enduring patience—such attributes, with appropriate variations, had become matter of form and style in this king's dealing with Scotland.[2]

Early in March, King Henry issued ample and very distinct instructions to the council on the border for the enforcement of his policy towards Scotland. When we realise the distinct view these afford us of the king's expectations, and his idea of his position in Scotland, and compare them with the purport of the alliance contracted at the Roode Chapel of Greenside some six weeks earlier, the effect might be thorough farce, if the end were not so deeply laid in tragedy. The king at last is to grant the earnest prayer of his friends in Scotland, and send "a main army" to co-operate with them. Having found them, however, rather more profuse in promises than in action, definitive arrangements are to be made. The council are to take post at Carlisle, and there await the coming of the principal persons

[1] State Papers (Henry VIII.), v. 355-58. [2] Ibid., 350.

among the "assured Scots," or of ambassadors duly accredited by them. A conference is to be held, at which the council shall deal with the "Scots earls," as they are called, "reputing them for men of truth and honour," and shall state plainly what his majesty demands of them, and what he will be pleased to give in return. The earls are to find hostages; and on this point careful instructions are given, in order that there may be no room for subterfuge or elusion. The obligations on both sides are then set forth in such terms that the reader would certainly be a loser by any attempt to paraphrase or abridge them. The first will have a rather odd effect, looking to the political conditions by which it is surrounded:—

"And touching the things that we require to be observed on their behalf towards us, the first is, that the said earls shall, to their powers, cause the Word of God to be truly taught and preached among them, and in their countries, as the mere and only foundation from whence proceedeth all truth and honour, and whereby they shall judge who proceedeth with them godly and justly, and who abuseth them for their own private glory and purpose.

"The second is, the said earls shall be and remain for ever perfect friends and servants to us, our realm of England, and all other our dominions; and shall never enter into, consent, or agree to any contract or league to be made with any private state, potentate, or other person, private or public, of their own countrymen or others, to the contrary thereof; and shall also from henceforth refuse, abandon, and renounce, as well the leagues made in common between France and Scotland, as all such other private contracts, covenants,

or promises as the said earls or any of them heretofore have made either with the French king or with any other person or persons that may in any way be prejudicial unto us, our realms and dominions, or to any part of the treaties made at this time with us; and that they shall also serve us, for like wages as other our subjects do, both against France and all other nations and persons whatsoever they be, without exception, whensoever we shall so command them.

"The third is, the said earls shall diligently foresee and take heed that our grandniece be not conveyed nor stolen away, and also do what they can, to the uttermost of their powers, to get her person into their keeping, and thereupon to deliver her forthwith into our hands, to be nourished at our order till the marriage which we determine between our son and her may take effect.

"The fourth is, that the said earls shall aid, help, and assist us with all their power, force, and all other means they can, as well for the winning and getting into our possession of Jedwourth, Kelso, Roxborough, Hume Castle, the Hermitage, the Marshe, and Teviotdale, as also for the sure and quiet keeping of the same to our use; and from time to time, with all their said powers, damage, annoy, and use as their enemies, all such persons, whatsoever they be, without exception, as shall at any time, with force and power, or by any other means, be against us for the winning and quiet keeping of the said places, or go about by any means to invade us.

"Fifthly, the said earls shall, with all their force and power, join and concur with us, and do the uttermost they can to help us to be director and protector

of that realm, and so shall use us, accept us, and name us director and protector of the said realm, and in all things obey us accordingly.

"To the which foresaid articles if the said earls shall agree, and for the performance of the same put in such hostages as be before expressed, then in that case, and upon that condition, and none otherwise, we are contented, for the declaration of our benevolence towards the said earls, to do for them as hereafter followeth, that is to say,—

"First, We will send in a main army to annoy and defeat, by all the means they can, our common enemies, and will give unto our said army special charge and commandment, that they shall in nowise devastate anything that belongeth to the said earls, nor of any others of whom they shall have assurance to be our assured friends, but shall take the said earls and their foresaid friends as our friends, and aid and help the same as occasion shall serve.

"Secondly, Whereas the Earl of Lennox maketh suite unto us for the office of governor underneath us, we are contented to help him to have the said office and rule underneath us, with certain such others to be of council with him in the said government, as we with his advice shall appoint, so as he do accept us for protector, and do in nowise call or consent to the calling of any parliament, nor do any act contrary to the common law and order of that realm, nor give or dispose anything that shall be confiscated or otherwise grow to the crown, without our express consent.

"Thirdly, We shall be pleased that the said Earl of Lennox, being once established governor by us as aforesaid, shall have a reasonable portion of the revenues of

the crown for the better maintenance of his estate in the same; foreseeing that there be a convenient portion reserved for the entertainment of the young queen, and of a council to lie continually at Edinburgh for the administration of justice, and that we also shall have in our custody some such hold as shall be thought necessary for us to have, being protector, for the stay of the country, and the keeping of the same in good order and rule during the minority.

"Fourthly, Whereas also the said Earl of Lennox hath desired our favour for the continuance of his title against the Earl of Arran; in case he shall be and do towards us as in our demands before is expressed, in case God shall dispose His will of our said grandniece, leaving behind her none issue, we will be content to aid him for the obtaining of his said title when time shall require.

"Fifthly, Albeit the Earl of Angus, being now by our means restored to his inheritance in Scotland, ought not to challenge nor demand any longer any pension of us; yet, to the intent as well the said Earls of Angus, Cassilis, and Glencairn shall earnestly, faithfully, and truly join with the said Earl of Lennox, and he and they all together extend all their power and force for the accomplishment of the foresaid points which we required them to do for us, we are contented not only to continue yet our former benevolence of our pension unto the said Earl of Angus, and to pay unto him now out of hand such sums as be already in arrears for the same, but also of our liberality to give forthwith unto every of the said Earls of Cassilis and Glencairn one thousand crowns apiece, upon condition nevertheless that the said Earls of Lennox, Angus, Cassilis, and

Glencairn do first agree unto our foresaid demands, and also lay in the foresaid hostages for the performance of the same."[1]

Before the conference could be held, King Henry became aware of "the untrue and disloyal behaviour of the Earl of Angus," and became "eftsoons advertised of the revolt and disloyal untruth, contrary to all men's expectations, of the Earl of Cassilis." The conditions had thus to be recast, by cancelling the rewards to be bestowed on these revolters.[2] But, in fact, the character of the project against Scotland had to be totally remodelled. Henry knew, at last, that he had nothing to hope for in the shape of co-operation within Scotland. A merely auxiliary English army would therefore be useless. With his hands full in France, he could not afford to send an army for conquest. Accordingly the problem put to the king's advisers was, how to do the utmost amount of mischief with the limited means available. They set to work on this problem. To understand the full significance of their deliberations, let us remember that the aim of modern civilised warfare is to break an enemy's power with as little torture to the people as may be—to strike at some centre of power by the breaking of a great army, the seizure of a capital, the destruction of a fortress, and to avoid devastation among the peaceful inhabitants of the country. What Henry's servants had to find, however, was how to make their money go farthest in extinguishing human life, and spreading misery

[1] State Papers (Henry VIII.), v. From a peculiarity in the arrangement of the papers, King Henry's demands are printed pp. 386, 387, and his concessions in return pp. 363-65.

[2] Ibid., 385.

in all available shapes of mischief. To this end the council gave instructions to Hertford, of which the substance is thus noted: "They tell Hertford, in Henry's name, that the grand attempt on Scotland was delayed for a season, and that he in the mean time was to make an inroad into that kingdom, 'there to put all to fire and sword, to burn Edinburgh town, and to raze and deface it, when you have sacked it and gotten what you can of it, as there may remain for ever a perpetual memory of the vengeance of God lighted upon it, for their falsehood and disloyalty. Do what you can,' continue they, 'out of hand, and without long tarrying to beat down and overthrow the castle; sack Holyrood House, and as many towns and villages about Edinburgh as ye conveniently can; sack Leith, and burn and subvert it, and all the rest, putting man, woman, and child to fire and sword, without exception, when any resistance shall be made against you. And, this done, pass over to the Fife land, and extend like extremities and destructions in all towns and villages whereunto ye may reach conveniently; not forgetting, amongst all the rest, so to spoil and turn upside down the cardinal's town of St Andrews, as the upper stone may be the nether, and not one stick stand by another, sparing no creature alive within the same, specially such as either in friendship or blood be allied to the cardinal. And if ye see any likelihood of winning the castle, give some stout assiege to the same, and, if ye fortune to get it, raze and destroy it piecemeal.'"[1]

Kings have been visited with abundant criticism, laudatory and censorious, for pieces of written composition issued in their name, but none of their own

[1] Notes and extracts in the Hamilton Papers, 93, 94.

doing. In this document, however, so unlike Privy-Council work in its impetuosity, we may surely trace the special draftsmanship of King Henry.

These instructions were issued on the 10th of April. On the 12th, Hertford, wishing to make it clear that he knew what was meant, answered that he was not to aspire at regular warfare; he was to have as little fighting and besieging as might be; that he was not to attempt to take a permanent position in the country. Having so notified his sense of what he is told to avoid doing, he sets down what he considers himself instructed to do. He says that he "shall rather put the said towns of Leith and Edinburgh, with such other towns as be thereabouts, to sack, fire, and sword, and raze the Castle of Edinburgh, if it may be done conveniently without long tarrying about it; and likewise to pass over to Fife to make like spoil and wasting of the country there, chiefly at St Andrews, putting all to fire and sword, in such wise as in the said letters is more at length contained. In which part, and all others, I shall most willingly and obediently conform myself to whatsoever shall be your majesty's pleasure, and shall spend my life and goods in the execution of the same with as good heart and will as any other of your highness's subjects or servants." He has just one amendment to suggest — that the plan of making an English fortress in Leith should not be abandoned; "for by the same, being their chief port-town, your majesty shall not only have a goodly entry into Scotland, and by that means take away from them their commodity of fishing and their whole traffic, which shall be such a continual scourge unto

them, as of force the town of Edinburgh and the whole country thereabouts shall be constrained to fall into your majesty's devotion."[1]

A force was accordingly conveyed by sea to the Firth of Forth, under the command of Hertford. Unless we may find some parallel in Tartar or African history to the career of this expedition, it will scarce be possible to point to any so thoroughly destitute of all features of heroism or chivalry. The force landed at Granton on the 1st of May, and marched to Leith. They found this a richer town than they expected, and drew from its pillage the exhilaration of a prosperous beginning. Shipping and houses were burnt, and everything destroyed that was not worth removing. Edinburgh came next. The citizens offered resistance; and it was thought that they might have held out, had they been effectually commanded. But they had no one to head them but their provost, Sir Adam Otterburn, who was under suspicion as an adherent of the "English lords." He went to Hertford's camp to treat for a rendering on terms of some compromise, but was told that nothing would be accepted unless the young queen were handed over to the English army. Breaking through the poor defences of the city, the army tried those of the castle; but finding that it could not be easily taken, they left it, in terms of the general policy of the expedition. They set Edinburgh on fire before their departure. Built chiefly of wood, and concentrated on the well-known ridge rising to the castle, the beautiful town blazed for three days and nights, making a sight that, seen far along the Lothians and Fifeshire, left in the recollection of the people a

[1] State Papers (Henry VIII.), v. 371.

characteristic impression of what it was to be at the mercy of the King of England.

At that time the coast of Fife was bordered by small comfortable towns, acquiring affluence by trade. They were generally exempt from the English border raids, but the fleet giving the opportunity, they were now invaded. After doing as much mischief among them as he could, Hertford marched southwards to the border, burning, slaying, and ruining as he went. He had to pass through the lands of the Douglases; and before he had to decide how they were to be used, he seems to have made a last effort to bring Angus to a sense of duty to King Henry, so as to know definitively whether he was to lose all claim as a friend. Communications were accordingly opened with Angus's nephew, the Master of Morton, afterwards celebrated as the Regent Morton. Wharton reported that he was assured how "undoubtedly the Master of Morton, with all the friends he could make, would join with your majesty's army, and take full part with the same; and that now he was practising with his friends to make his party as strong as he could for that purpose." There was a suspicious condition that he required to have "assurance" granted that these friends of his should be at once treated as friends of England. What was still more suspicious, the Master, though he promised readily to come and meet Hertford, never did come. The most important person connected with the Douglases whom Hertford could meet face to face was a certain Alexander Jardine, who commanded Tantallon Castle. Hertford desired him to render up his charge. Jardine said he could not do so without instructions. "And for example," says Hertford, "he axed me what I would

think in my servant having any such charge of mine, if he should so use me in case semblable." The general's answer is curious as a specimen of assurance. He said such an act would be the maintaining of his master's honour, and showing more regard for it than he himself showed ; but Jardine could not appreciate such reasoning.[1]

The end was, that an example should be made of Angus. Had it been possible, his lands would have been marked by special features of devastation. But this was everywhere so complete, that the only way in which a peculiar mark of hostility could be left on the revolter's possessions was by breaking and insulting the tombs of his ancestors at Melrose.

This service was performed by a subsidiary expedidition on the border, which had a destiny very different from Hertford's. A considerable portion of territory was now at the mercy of the English. Sir Ralph Evers and Sir Brian Latour, who had done great service in the way of destruction, were to receive a splendid reward out of these acquisitions—a grant of territory extending so far as to comprise the counties of Berwick and Roxburgh. The new owners were to hold their lands of the English crown in freehold. The whole district had not yet been subdued, and Evers and Latour entered it with a force of five thousand men. There was some jocularity about their going to take feudal sasine, and Douglas, whose lands their gift encroached on, threatening to write out the instrument of sasine in blood. They had burnt Jedburgh, and done their work on Melrose, when they were recklessly attacked by a small force under Angus, which was easily driven off. Angus, with a remnant far too small for another battle,

[1] State Papers (Henry VIII.), v. 379.

was sullenly following the skirts of the victors, when he received unexpected reinforcements. Some Leslies and Lindsays from the north had travelled so far to help the borderers to drive the English out. Farther assistance came from Buccleuch, the chief of the Scots, and other border lords. The English seem to have been unconscious of this gathering till they were attacked near Ancrum, and driven to flight. Of the five thousand, two only were borderers; the others were regular hired troops, who, not accustomed to border warfare, were easily chased down and killed. The two barons who had come to take possession were among the killed. In the English army there were six hundred borderers who, by geographical position, belonged to the Scots side of the border. They had been pressed into the service of the English wardens. When the turn of the day left them free to choose, they threw away their red crosses and joined the Scots, making themselves conspicuous by their zeal in slaughtering and pillaging those along with whom they had just marched and fought. This incident was significant. The service of these men of dubious nationality, a service so emphatically broken, was all that Henry gained of active allegiance in Scotland.

This success gave an impulse to the spirit of resistance, and a considerable army was sent to the border. Part of it, however, was the following of the "English lords;" and though they did nothing for Henry, they were not the leaders most likely to act effectually against him. Whether it was that they thwarted the governor and the other leaders, or that it was felt dangerous to accompany into actual battle men so suspected as they were, this Scots army was numbered among those uselessly mustered against England.

If Angus and the "assured lords" were faithless, both King Henry and his servants in the north believed that England was making steady progress in securing the allegiance of the southern districts of Scotland. Lightly as the allegiance of the borderers to Scotland might be counted, the affair of Ancrum showed that it was not of much value to England; and we shall find other evidence, that even these men of easy political virtue were not to be counted on against Scotland. One of Henry's emissaries of the day has given a lively instance of the method in which they were dealt with and tempted. Wharton had a conference with the Laird of Buccleuch, who had succeeded the Armstrongs as the chief leader and potentate on the Scots side of the border warfare. They met with three score horse on either side. The English announced their great master's success in his war with the Scots ally—he had just taken Boulogne. Buccleuch on this "mused a little, but was not discomposed." The English then reminding him that he had sought the meeting, asked what business he had to propound? Thereon, we are told, "he, with a merry countenance, answered, that he would buy horse of them, and renew old acquaintance. They said they had no horses to sell to any Scotsman; and for old acquaintance, they thought he had some other matter, and advised him to show the same; who answered, Jesu! what ails you thus to run upon us?" In this strain of light good-humour, he reminded them how near the two countries had come to a fast alliance, how Scotland had virtually consented to the union of the prince and princess, and all would have gone well, and the wars would not have begun, had the King of England dealt fairly. "And earnestly therewith said

that, if my lord prince did marry their queen, he would as truly and dutifully serve the king's highness and my lord prince as any Scottishman did any king of Scotland; and that he would be glad to have the favour of England with his honour; but that he would not be constrained thereto if all Teviotdale were burnt to the bottom of hell." The other party recommended him to give over this kind of talk, and announce his intention—was he, or was he not, to become King Henry's liegeman? He dropped some sarcasms on Angus and the "assured Scots," saying that, if he gave his word, he would keep it better than they did. Being again pressed for a decision, he took up his position as the leader of a powerful party who had met Wharton, not on the question of going over to the enemy, but of discussing what could be done to put an end to the cruel war. But he saw how it was—they would have him "sing the shameful carol," and, to avoid the utter destruction of his house, seek the favour of England. He explained to them how he stood as a leader. "If I serve the king's highness of England, there are many friends bound with me, and I with them, every one to take other's part—as the Lord Home, Mark Carr of Littledean, George Carr, and all the Carrs except David Carr of Fernyhurst." These, with several others, "were sworn and bound, with all their friends, to join together in one friendship, and all they would go one way." He then requested "assurance" for a month or twenty days, that he might consult those banded with him; and when they had come to a determination, he would go to the governor with the influence of that determination to strengthen his hands. What he pointed to was seemingly the renewal of the negotia-

tions, on the standard of conceding some points to England.

Wharton and his party, however, could give no such assurance. They had come to secure Buccleuch and his powerful following as adherents of Henry VIII., and they were impatient. "They had no commission to grant him any assurance one hour longer than that assurance granted for that their meeting, nor to grant any his demands, whatsoever the same were." There was, thus, to be no more negotiation. The English, as if somewhat pitying the obstinacy of the Scots border leader, and the calamitous end that must come of it, tempted him, before they separated, with a piece of good-natured counsel, which has a picturesqueness in it not natural to diplomacy. "And they said unto him therewith, 'Sir, look about ye as you stand. West from you is yonder Eskdale, Ewsdale, and Wauchopdale, and of far side the ridge from you east, Liddesdale. These dales did sometime hold of Scotland; and now they are all bound and sworn, with their hostages all lying at Carlisle, to serve the king's highness our master at all commandments of his majesty's officers; and my lord warden of the west marches hath granted you for this meeting assurance for them. Ye know the dwellers of these debatable lands are all at commandment to serve his highness; and better you were to come to serve his majesty, and thereby to live with your friends at rest, than to live as ye do, which in brief time will be to the no little damage and destruction of you and your friends. And, serving his majesty, ye may be sure there is none in authority in Scotland that will or dare annoy you in Tevidale."[1]

[1] Hamilton Papers, 106-8.

There came nothing more of the conference than some farther discussion, held with as much temper as could be kept between two bodies of the bitterest of enemies. The question of Buccleuch and his party coming over to King Henry was, of course, left open; but it was closed by the battle of Ancrum, which followed upon the conference.

This affair was exasperating to Henry and his servants. It was a defeat; and the defection of the borderers went, with other incidents, to show him how apt the coadjutors he was so laboriously gaining in Scotland were to slip out of his hands. There is much confused dealing with the "assured lords," the Lord of the Isles, and other uncertain persons; but the tendency of it all is to another expedition for the punishment of Scotland, to be led by Hertford, who had proved that he could be trusted with such work. Policy again dictated that it should be not for fighting or subjugation, but for sheer mischief and cruelty. The previous expedition had its centre of operations in the Forth, whence it had done much satisfactory work to the north and the south. The design now was to complete the ruin it had left unfinished, by an invasion from the border. It would cross lands which had before been subjected to countless raids, but these were merely local efforts. The present was to be a raid on a royal scale, to sweep the district, and complete the devastation which had only been partly accomplished.

Hertford, writing in August, tells of the dispersal of the abortive Scots army mentioned above, and the opportunity so opened; and he notices that the most appropriate time for the doing of the business in hand, the wasting of the country, will be early in September;

"for that their corn this year being very forward in those parts, will then be ripe and shorn, by reason whereof we shall have the better opportunity to destroy the same, which will be no little annoyance unto them, and cause them to live in the more penury all the year after."[1]

The composition of the army put at Hertford's disposal on this occasion, suggests a doubt whether the service in Scotland at that time was of a kind which the English yeomen of the feudal array could be trusted to carry out to its bitter end. It may be questioned if ever any other army, of materials so divers and alien, has been embodied in Britain. There appears to have been in it Irish subjects of King Henry, Germans, French, Spaniards, Italians, even Greeks.[2]

At one point in this motley expedition, Robert Bowes having to execute an order for what he himself calls burning and devastating the country, and desirous to do his duty in a perfect manner, drafted a hundred Irishmen into the expedition, "because the borderers will not most willingly burn their neighbours,"[3] a significant remark. The borderers on either side were relentless enough against each other, but they were not so effectively to be relied on for wanton mischief and cruelty as to serve King Henry. Destruction was not so much their object as some substantial recompense for their perils and exertions. They would not wantonly destroy the goods of the enemy on the other

[1] State Papers (Henry VIII.), v. 492.

[2] See "A Contemporary Account of the Earl of Hertford's Second Expedition to Scotland," &c., Proceedings of the Antiquarian Society of Scotland, i. 271.

[3] State Papers (Henry VIII.), v. 523.

side of the Tweed, and exasperate him to no purpose. Moreover, the utter destruction of the enemy was also the destruction of their own marauding-ground, and was not an end to be desired.

While King Henry was effectively served, the opportunity might also be taken to serve God by a visitation on the monastic houses on the Scots side of the border. There was a peculiarity in these, vestiges of which may be seen at the present day. The remains of the Abbeys of Kelso and Jedburgh, for instance, have much in common with the castles or fortified houses so numerous in Scotland. The architecture of the belfry-towers is rich and costly, but there is a substantiality in the structures intended for something else than the devotion of costly work to purposes of worship. These, in fact, in their day were strong fortresses. Many a raid of the English borderers had they resisted, but now it was part of the plan that they should be besieged and demolished. There were other matters of smaller moment giving encouragement to the expedition in the autumn of 1545. It happens that a despatch from Hertford himself gives us some particulars of the dealing with Kelso. "A body of the Spaniards," he says, unauthorised, "gave of their own courage an assault with their arquebuses to the abbey;" but the general saw this to be to no purpose—it was an attack with musketry on a stone building. He says, "I caused them to retire, and thought best to summon the house, which I did forthwith; and such as were within the same, being in number about a hundred persons, Scotsmen, whereof twelve of them were monks, persuaded with their own folly and wilfulness to keep it (which no man of any consideration of the

danger they were in, the thing not being tenable, would have done), did refuse to render and deliver it." Cannon were brought up, and after some battering, a breach was opened. This apparently was in the conventual buildings. The assault was given to the Spaniards, but when they rushed in they found the place cleared. The nimble garrison had run to the strong square tower of the church, which may still be seen, and there again they held out. Night came before they could be dislodged from this their last citadel, so the besiegers had "to leave the assault till the morning, setting a good watch all night about the house, which was not so well kept but that a dozen of the Scots, in the darkness of the night, escaped out of the house by ropes, out at back windows and corners, with no little danger of their lives. When the day came, and the steeple eftsoons assaulted, it was immediately won, and as many Scots slain as were within." This was but a small affair in the history of warfare; but it is peculiar, as perhaps the most distinct account we have of the siege and defence of a monastic edifice.

There was, it seems, a project to build at Kelso a great fort, to overawe the surrounding district, and hold it firmly for England. The use of cannon was even then superseding the tall stone towers of the Norman system of defence, and fortification was stretching into the horizontal flanking works of mound and ditch, which culminated in the Vauban system. The commander reports that "we devised thereupon with the Italian fortifier that is here—Archam, and the master-mason of Berwick; and when we had spent all the day thereabouts, we found the thing so difficult that, in our opinions, it seems impossible to be done

within the time that we can tarry about it." The cause of the difficulty was the vastness of the remains of the magnificent abbey which they had wrecked. The besiegers find these "so great and superfluous buildings of stone," which, were they to make a fortress, must be pulled down and removed. The pulling down would not be so serious; but if the removal were not also effected, "the heaps of stone, besides the confusion of the matter, should remain an enemy to the fortress; and to make the fortress so large as should contain all those superfluous buildings, should be such a confused and long work as cannot be perfected in a great time."[1]

Another special enterprise, growing out of this inroad, was an attempt to obtain and secure for England the Castle of Caerlaverock, on the Solway. This strength was memorable some three centuries and a half earlier, when it was taken by King Edward. We have seen the magnificent array of the knighthood of England brought to the siege of this old castle when it was in its youth. Beside this grand display of chivalry, the doings of Hertford have a tricky, sordid character, responding to their meaner object. The castle belonged

[1] State Papers (Henry VIII.), v. 514. There are other incidental difficulties, which might be interesting to the student of the engineering of the day. The spot is not, after all, so well suited for a central fortress as was supposed at the first inspection; "for on the other side of the water, even hard by, is a great hill called Maxwell Heughe, which may beat the house, and is an exceedingly great enemy to the same." Then it was found that the gravel and shingle of the haughs and terraces on the Tweed were bad substitutes for old meadow turf in making mounds and glacis. "The soil hereabouts is such, and so sandy and brittle earth, that we can find no turf anything near hand to build withal; and the ground about the house is such a hard gravel that, without a countermine of stone, it will not serve to make the ditches, which will take a long time."

to the Lord Maxwell, one of the "assured Scots," whose son was his partner in the subtle dealings he had to conduct with the English authorities. Maxwell had as yet been unfortunate in finding no opportunities for dutifully serving King Henry; but here he could do a thorough good piece of service by giving up Caerlaverock, and he was shown how the thing was to be done. It appears that a certain priest acted as governor of the castle; and the problem was to get him to give it up at the order of Lord Maxwell. Hertford drew on the resources of his craft in adjusting the matter; and, writing from Newcastle, tells, somewhat triumphantly, how he managed it.

"After some reasoning and communication thereof, wherein the said Lord Maxwell showeth himself very earnest, he hath taken upon him that, if he might have licence to go to Carlisle with the said Lord Wharton, that, in case the priest that keepeth the house for him will, at his sending, come to him at Carlisle—whereof he putteth no doubt—that then he will so handle the matter as he doubteth not but the house shall be delivered into the king's majesty's hands accordingly. Whereunto I, the said earl, answered him that I thought it better for him to send for his priest hither, where he might as well work and devise with him for this matter as at Carlisle; for if he should go to Carlisle, and nothing come thereof, it should but breed and engender towards him a mere suspicion, and give us cause to think that, showing himself so desirous to go to Carlisle, he should mean rather some practice to his own purpose than effectually to accomplish the thing which, in his words, he seemed so earnestly to desire. Nevertheless, he desired still to go to Carlisle, saying

that he was content that we should indeed suspect him the more ever after, and use him accordingly, if the matter take not effect within six days after his coming to Carlisle, in case his said priest do come to him thither at his sending, as he doubteth not but he will come as aforesaid. Wherefore, perceiving his earnest demeanour in this behalf, and considering that he shall be in as much surety and sure custody in Carlisle as if he were in the midst of London, we thought it not amiss to prove him for six days."

Maxwell, as we have seen, was the only one of the "assured Scots" who could be lured back to London. In thus determining that the interview should be at Carlisle rather than at Newcastle, he had doubtless an object in view, whether or not he was defeated in his attempts to attain it. A cunning device was arranged for luring the governor priest to Carlisle. What was to be done with him when he came is thus set forth by Wharton: "It is devised that, immediately upon the coming of the said priest to Carlisle, there shall be a convenient number appointed to go with him forthwith to Caerlaverock in the night-time to receive the house; and the priest shall never be out of their hands till the house be delivered, wherein, if he shall make any stay or difficulty, he shall be sure to die for it, which is also a piece of the Lord Maxwell's own device."

It would seem that all was effected as thus sketched. Wharton and his coadjutors, however, seem to have been extremely suspicious, looking on the whole affair of the governor priest as peculiar, and not rightly accounted for; so they report that "thus far furth is the matter, but what will be the end we know not."[1]

[1] State Papers (Henry VIII.), v. 545-47.

We must presume that the scheme was carried out, and that the priest governor came to Carlisle, and went back to his charge with a party, aware that he was "sure to die" if there were any stay or difficulty in their becoming masters of the castle. The next letters show us the English party in possession. Maxwell, however, seems to have been still true to the policy of the "assured Scots." If it was in company with the priest that the English party got into Caerlaverock, they found nothing there but bare walls; while outside there was waste and water between them and their comrades, and a hostile people on the other side. The problem was, how to supply the place with cannon, provisions, and everything else necessary to a fortification, and to sufficiently augment the garrison. To these ends Wharton had the double idea of a convoy by land and by sea; but each was beset by difficulties. For the land approach, the nearest way was over Locker Moss, "through which moss is made a way with earth, whereupon there may pass four men in rank, and not above." There is the consideration, however, that the country-people could easily cut this causeway through the moss, and compel the English troops to make a wide and dangerous circuit near by to the town of Dumfries. The co-operation from the water was to be by crossing the Solway. The marine division of the expedition was to be accomplished in six boats, which would in all convey over three hundred men—fifty to each boat. But there is a difficulty, since the boats "cannot come near the land at Caerlaverock by more than a mile, except at a high spring and a full sea;" and the owners of the boats have doubts of going to

sea at such a season — it was the beginning of November.

Nothing was made of the affair—for England, at least. That Caerlaverock Castle was ever, in the sixteenth century, in the hands of England, does not appear in history, and is only known from the documents here cited. We naturally inquire how far the story they tell corresponds with the current memorials of the times. But these seem to furnish nothing more than the brief notice of a contemporary, who took down things, small and great, as they happened from day to day.[1] It is evident that the acquisition was profitless.

Of the achievements of the expedition in other shapes, Hertford thus exultingly reports directly to his master, Henry: "Marching with the army towards Wark, we burned and devastated the country on our way three and four miles on each hand, cast down sundry piles and stone houses, and burned and destroyed such a deal of corn, as well in towns and lying in the fields, as also hid in woods and caves, that the Scots say themselves, and also the borderers here say, that they were never so burned, scourged, and punished on no journey, and that they received not half so much loss and detriment by the last journey that was made to Edinburgh as was done by this. Surely the country is very fair, and so good a corn country, and such plenty of the same, as we have not seen the more plenteous in England; and undoubtedly there is burned a wonderful deal of corn, for, by reason that

[1] 1545. "Upon the xxiv day of October, the Lord Maxwell deliverit Caerlaverock to the Englishmen, whilk was great discomfort to the country."—Diurnal of Occurrents, 41.

the year hath been so forward, they have done much of their harvest, and made up their corn in stacks about their houses, or had it lying in shocks in the fields, and none at all left unshorn, the burning whereof can be no little impoverishment unto them, besides the burning and spoil of their houses—as when the journey is ended, we shall make unto your majesty a full declaration of the whole that hath or shall be done in the same."[1]

The expedition had done little towards securing new subjects to the English king, or giving him a fortified position in Scotland. It was successful otherwise, however. It had inflicted a world of misery on the people of the country. It had done an amount of destruction to which there was no parallel even in the remorseless ravages of border warfare. The "full declaration" made to his majesty of all that had been done was a very satisfactory sum total. It somewhat confuses what was taken with what was destroyed. Thus we hear of 200 bolls of corn—which might be all that the plunderers obtained, but certainly not all that the plundered lost; while there are 12,492 sheep, and 1292 nags and geldings, a goodly proportion of which probably remained in the hands of the assailants. In the heavier part of the summation we have "towns, towers, stedes, barnekins, parish churches, bastel-houses — 192." All these, of course, go to the account of destruction. To this another way of rendering the account adds a significant item—"in villages, 243." Whatever amount of misery we may crowd into the realisation of 243 villages wrecked, there comes another item in the account more important in its historical influence. It

[1] State Papers (Henry VIII.), v. 523.

stands, "in monasteries and friar-houses, 7." Of these seven we have seen the particulars of the dealing with one—the Abbey of Kelso. Among the others were Melrose, Dryburgh, Roxburgh, and Coldingham.[1] It is a matter of justice to remember how and by whom these buildings were destroyed, because their ruin has generally been debited, or credited, to the Reformers of John Knox's school.

[1] Haynes's State Papers, 43 *et seq.* "A Contemporary Account of the Earl of Hertford's Second Expedition to Scotland, and of the Ravages committed by the English Forces in September 1545," from an MS. in Trinity College, Dublin. By David Laing, Esq.—Proceedings of the Antiquarian Society of Scotland, i. 271.

CHAPTER XXXVI.

Regency of Arran.

(*Continued.*)

ECCLESIASTICAL AFFAIRS—INFLUENCE OF THE ENGLISH INQUIRY INTO THE MONASTIC ESTABLISHMENTS—ACCOUNT OF GEORGE WISHART—HE AND KNOX IN SCOTLAND—SEIZURE OF WISHART—TRIAL AND CONDEMNATION—BURNING—THE PLOTS AGAINST THE CARDINAL'S LIFE—WHO CONCERNED IN THE PLOTS?—SEIZURE OF THE CASTLE OF ST ANDREWS—DEATH OF THE CARDINAL—HOLDING OF THE CASTLE—THE SIEGE—THE FRENCH AUXILIARIES—THE CAPTURE—DISPOSAL OF THE PRISONERS—KNOX AND HIS COMPANIONS IN THE GALLEYS—DEATH OF HENRY VIII.—THE PROTECTOR MARCHES AN ARMY TO SCOTLAND—BATTLE OF PINKIE—ITS EFFECT—A SUCCESS ON THE BORDER—PERILOUS POSITION OF THE COUNTRY—ARRANGEMENTS WITH FRANCE—REMOVAL OF THE QUEEN—FRENCH AUXILIARIES—THE RECOVERY OF THE STRONG PLACES—PEACE—MARY OF LORRAINE BECOMES REGENT.

It may now be well to turn aside for a time from this weary conflict with England, and look to events connected with religion and the Church, which, as well as the incidents of the contest, have their own burden of tragedy and calamity. Between the years 1543 and 1545, there was a stirring up of Protestant feeling in Scotland, which seemed to come to an abrupt end in the conclusion of the short history to be presently told. In it two remarkable men—Knox and Wishart—make

their appearance, and in general history one can find nothing more than the eventful incidents in which they figured; it is only in casual notices by contemporaries that we find traces of any movement among the people. Some destructive attacks appear to have been made on the monastic houses by the populace, excited, perhaps, by the horrors proclaimed by the English commission of inquiry. Sir Ralph Sadler reported these tumults to his master, probably putting emphasis on them as a piece of pleasing news. It is unfortunate that we have not his own announcement of them, but only a memorandum of its substance in these terms: "Sir Ralph shows that the work began at Dundee, by destroying the houses both of the Black and Grey Friars; that afterwards the Abbey of Lindores was sacked by a company of good Christians, as they were called, who turned the monks out of doors; and that an attempt of the same kind was made upon the Black Friars at Edinburgh by the captains of a foot band and their retinue in the pay of the governor, while he himself was absent, but that the inhabitants of the city, both men and women, assembled in defence of the friars, and drove these forces out of town."[1]

A diarist of passing events confirms the tenor of this by the brief notandum applicable to the same year, 1543: "In this time there was ane great heresy in Dundee; there they destroyed the kirks, and would have destroyed Aberbrothoc Kirk were [it] not [for] the Lord Ogilvie."[2] It connects itself with these vestiges

[1] Hamilton Papers, 82. The passages from these papers, as well as the abridgments—such as the passage in the text is—were taken down by George Chalmers.

[2] Diurnal of Occurrents, 29.

of popular tumult, that the governor caused it to be shown and propounded in plain parliament, "how there is great murmour that heretics mair and mair rises and spreads within this realm, sawand damnable opinions in contrair the faith and laws of haly kirk, acts, and constitutions of this realm. Exhortand, therefore, all prelates and ordinaries, ilkane within their awn diocese and jurisdiction, to inquire upon all sic maner of persons, and proceed against them according to the laws of haly kirk; and my said lord governor sall be ready at all times to do therein that accords him of his office." [1]

These were symptoms, however, so faint as to find no place in history, though some tragic personal events having connection with the causes of this popular restlessness became known over the world.

About the same time George Wishart, a native of Scotland, afterwards known as Wishart the Martyr, returned, after foreign sojourn, to his native country. He was a visionary enthusiast, given to forebodings and prophecies. We have an account of his character by a close observer and affectionate pupil, all the more valuable that it expresses the mere private and personal estimate of one neither eminent at the time, nor likely to become eminent. It represents a man with many fancies and peculiarities, but all of them having characteristics of devoutness, benevolence, and negation of self.[2] He was a man of gentle walk, but fervent in his doc-

[1] Act. Parl., ii. 443.

[2] "About the yeare of our Lord a thousand, five hundreth, fortie and three, there was, in the universitie of Cambridge, one Maister George Wischart, commonly called Maister George of Bennet's Colledge, who was a man of tall stature, polde headed, and on the same a round French cap of the best. Judged of melancholye complexion by his phisiog-

trine. Before he came to Scotland in the year 1539, he brought himself under ecclesiastical process in England, and for a sermon he had preached in the Church of St Nicholas, at Bristol, he accepted the symbolic incremation of a heretic who recants by burning his faggot. The records of that city call him "a stiff-necked Scot,"

nomie, black haired, long bearded, comely of personage, well spoken after his country of Scotland, courteous, lowly, lovely, glad to teach, desirous to learne, and was well travelled, having on him for his habit or clothing, never but a mantell frise gowne to the shoes, a blacke Millian fustian dublet, and plaine blacke hosen, coarse new canvasse for his shirtes, and white falling bandes and cuffes at the hands. All the which apparell he gave to the poore, some weekly, some monethly, some quarterly, as hee liked, saving his Frenche cappe, which hee kept the whole yeere of my beeing with him. Hee was a man modest, temperate, fearing God, hating covetousnesse: for his charitie had never ende, night, noone, nor daye: hee forbare one meale in three, one day in four for the most part, except something to comfort nature. Hee lay hard upon a pouffe of straw: coarse new canvasse sheetes, which, when he changed, he gave away. Hee had commonly by his bedside a tubbe of water, in the which (his people being in bed, the candle put out, and all quiet) he used to bathe himselfe, as I, being very yong, being assured offen, heard him, and in one light night discerned him. Hee loved me tenderly, and I him, for my age, as effectually. Hee taught with great modestie and gravitie, so that some of his people thought him severe, and would have slain him, but the Lord was his defence. And hee, after due correction for their malice, by good exhortation amended them, and he went his way. O that the Lord had left him to mee his poore boy, that hee might have finished that he had begunne! For in his religion he was, as you see heere in the rest of his life, when he went into Scotland with divers of the nobilitie, that came for a treaty to King Henry the Eight. His learning was no less sufficient than his desire, alwayes prest and readie to do good in that hee was able, both in the house privately, and in the schoole publickely, professing and reading divors authours.

"If I should declare his love to mee and all men, his charitie to the poore, in giving, relieving, caring, helping, providing, yea infinitely studying how to do good unto all, and hurt to none, I would sooner want words than just cause to commend him.

"All this I testifie, with my whole heart and trueth, of this godly man. Hee that made all, governeth all, and shall judge all, knoweth I speake the throth, that the simple may be satisfied, the arrogant confounded, the hypocrite disclosed.—Emery Tylney."—Printed in Foxe's Martyrs and M'Crie's Knox, 326.

say "he gave forth the most blasphemous heresy that ever was heard, openly declaring that Christ's mother had not nor could merit for Him nor yet for us."[1] He had little or none of the political activity and worldly sagacity of John Knox; and had he possessed them, he lived in a time when such qualities could not have been so openly put to purpose. The converts to the reformed faith were few and hesitating; for the one great cause of the national independence was strongest everywhere, and bore down all others. Thus Wishart was not a conspicuous man in his day. His celebrity arose from his death, not the events of his life, and these have consequently been dug out of obscurity by the zeal of the historians of the Reformation. The scantiness and coldness of his auditory, and the meagreness of his following, were the great grief of his life. The first occasion in which John Knox comes forth from the obscurity of his youth is when he meets Wishart at Haddington in the winter of 1545. The prophetic preacher had expected a great audience there, but was disappointed. We have Knox's own report of what he said, charging the people with rushing to the wild mummeries which ushered in the new year, and deserting the preacher of the Word.

"'O Lord, how long shall it be that Thy Holy Woord shall be despysed, and men shall not regard their awin salvatioun? I have heard of thee, Hadingtoun, that in thee wold have been, at ane vane clerk play, two or three thowsand people; and now to hear the messinger of the Eternall God, of all thy toune nor parish cannot be nombred a hundreth persons. Sore and feirfull shall the plagues be that shall ensew this thy contempt,

[1] M'Crie's Knox, 327.

with fyre and sword thou shalt be plagued; yea, thow, Haddingtoun, in speciall, strangers shall possesse thee, and you, the present inhabitantes, shall either in bondage serve your enemies, or ellis ye shall be chassed fra your awin habitationis, and that because ye have not knowin, nor will not know the time of God's merciful visitatioun.' In such vehemency and threatenyng continewed that servant of God near ane hour and ane half, in the which he declared all the plagues that ensewed as plainlie as after our eyes saw thame performed. In the end he said, 'I have forgotten myself and the mater that I should have entraited; but lett these, my last woords as concerning publick preaching, remaine in your myndis till that God send yow new comforte.' Thairefter he made a short paraphraisis upon the second table, with an exhortatioun to patience, to the fear of God, and unto the works of mercy; and so put end, as it war, making his last testament, as the ischew declaired, that the spirit of truth and of true judgement war both in his heart and mouth. For that same night was he apprehended, before midnight, in the house of Ormestoun, by the Erle Bothwell, made for money butcher to the cardinall." [1]

From the same powerful pen we have an account of his apprehension, from which it appears that Knox himself attended the preacher as his champion, armed with a two-handed sword. Knox having been present, we may take his account as accurate, making some allowance for high colouring.[2]

Wishart was conveyed to St Andrews for trial and

[1] History, i. 138.

[2] "The manner of his tackin was thus: departing frome the toune of Hadingtoun, he tuk his good-nycht, as it war for ever; of all his acquen-

execution. There are no materials for a distinct account of the process against him. As in the other instances of ecclesiastical penal process, the records have disappeared. The accounts of his examination are full enough; but they bear the mark of Knox's vehement colouring, and show us, throughout, a man, meek, logical, serene, arguing with furious and abusive persecutors. Indecorum was not one of the faults of the high ecclesiastics of the day; and when we find an inquest beginning in this fashion, it is needless to seek in the account for precise accuracy :—

"Right against him stood up one of the fed flock,

tance, especiallie from Hew Douglas of Langnudrye. Johne Knox preassing to have gone with the said Maister George, he said, 'Nay, returne to your barnes, and God blisse yow. One is sufficient for one sacrifice.' And so he caused a twa-handed sweard (which commonly was caryed with the same Maister George) be tackin fra the said Johnne Knox, who, albeit unwillinglie, obeyit, and returned with Hew Douglas of Langnudrye. Maister George, having to accompany him the Lard of Ormestoun, Johnne Sandelandis of Caldar, younger, the Lard of Brouneston, and otheris, with thare servandis, passed upoun foote (for it was a vehement frost) to Ormestoun. After suppar he held comfortable purpose of the death of Goddis chosen childrin, and mearely said, 'Methink that I desyre earnestlye to sleap,' and thairwith he said, 'Will we sing a psalme?' And so he appointed the 51st Psalme, which was put in Scotishe meter, and begane thus :—

'Have mercy on me now, good Lord,
After Thy great mercy,' &c.

Which being ended, he past to chalmer, and sonar then his commoun dyet was past to bed, with these wourdis, 'God grant quyet rest.' Befoir mydnycht the place was besett about that none could eschape to mack advertisement. The Erle Bothwell came and called for the lard, and declaired the purpose and said, 'that it was but vane to make him to hold his house, for the governour and the cardinall with all thare power war cuming' (and indeid the cardinall was at Elphinstoun, not a myle distant from Ormestoun); 'but and yf he wold deliver the man to him, he wuld promeise upoun his honour that he should be saif, and that it should pass the power of the cardinall to do him any harme or skaith.' Allured with these wordis, and tackin counsall with the said Maister George (who at the first word said, 'Open the yettis; the blissed will of

a monster, Johne Lawder, laden full of cursing writtin in paper, of the which he took out a roll boyth long, and also full of cursings, threatenings, maledictions, and words of devilish spite and malice, saying to the innocent Maister George so many cruell and abominable words, and hit him so spitefullie with the Pope's thunder, that the ignorant people dreaded lest the earth then would have swallowed him up quick. Notwithstanding, he stood still with great patience hearing thare sayings, not once moving or changing his countenance. When that this fed sow had red throwghout all his lying menaceings, his face runnyng

my God be doun'), theie receaved in the Erle Bothwell himself, with some gentilmen with him, to whome Maister George said, 'I praise my God that sa honorable a man as ye, my lord, receavis me this nycht, in the presence of these noblemen; for now I am assured that, for your honoris saik, ye will suffer nothing to be done unto me besydis the ordour of law. I am nott ignorant that thaire law is nothing but corruptioun, and a clock to sched the bloode of the sanctes; but yitt I lesse fear to dye openlye then secreatlye to be murthered.' The said Erle Bothwell answred, 'I shall not onelye preserve your body from all violence that shall be purposed against yow without order of law, but also I promeisse, hear in the presence of these gentilmen, that neyther shall the governour nor cardinall have thair will of yow; but I shall reteane yow in my awin handis, and in my awin place, till that eyther I shall make yow free, or ellis restoir yow in the same place whare I receave yow.' The lardis foresaid said, 'My lord, yf ye will do as ye have spokin, and as we think your lordship will do, then do we hear promesse unto your lordship, that not only we ourselfis shall serve yow all the dayis of our lyiff, but also we shall procure the haill professouris within Lotheane to do the same. And upoun eyther the preservatioun of this our brother, or upoun his delyverie agane to our handis, we being reassonable advertised to receave him, that we, in the name and behalf of our friendis, shall deliver to your lordschip, or to any sufficient man that shall deliver to us agane this servand of God, our band of manrent in maner foirsaid.' As thus promesse maid in the presence of God, and handis stracked upon boith the parties for observatioun of the premisses, the said Maister George was delivered to the handis of the said Erle Bothwell, who, immediatlye departing with him, came to Elphinstoun, whare the cardinall was."—History, i. 139-142.

down with sweat, and frothing at the mouth like ane bear, he spate at Maister George his face, saying, 'What answerist thou to these sayings, thou runnigat, traitor, thief, which we have duly proved by sufficient witness against thee?'"[1]

The end is, unfortunately, not to be doubted. Wishart was condemned, and handed over for execution to the civil power. He was put to death in the usual manner by burning, and met his end with the heroism of a true spiritual soldier.[2]

It was said, but it is not mentioned in Knox's History, that the cardinal, from the castle-keep, looked exultingly on the conclusion of the tragedy; and that Wishart, pointing to him, said that, seated there as he was in all his pomp and power, the day was not far distant when his lifeless body should hang in ignominy from the same tower. If Wishart did forebode the cardinal's death, it is possible that he might have reason to believe in the fulfilment of such a prediction without possessing the gift of prophecy.

The cardinal was as eagerly sought after by Henry VIII., as his uncle had been by Wolsey. When he went to France in 1542, full information of his motions was sent to the English Government, and vigorous efforts were made to intercept him; but these failed, much to the disappointment of those concerned. When Hertford reported that some of the French in the service of Scotland had offered to change sides, he was instructed to be cautious of such coadjutors—in fact, to

[1] History, i. 151.

[2] Knox, 152. The account in Knox's History is the same, with merely accidental variations, as that which Foxe printed in his Acts and Monuments "ex scripto testimonio Scotorum."

give them no countenance unless they should, in proof of their zeal, do some notable damage to the enemy, as "trapping or killing the cardinal, Angus, the governor, or some other man of estimation."[1] The state papers of the period are full of evidence that the cardinal was in danger. There were plots for kidnapping him, and if they should miscarry, by any mischance that might cause his death, such a result would not be counted a blunder. The question arises, Was Wishart aware of all this? A fierce, vehement, unscrupulous writer on the Popish side asserted that he had joined the conspiracy for putting the cardinal to death, and that he prophesied according to his knowledge. That author spoke of Wishart as justly suffering, according to the sacred canons, for his wicked schism and presumptuous blasphemies. His execution was treated as an act of wise severity, which checked the spread of the Lutheran doctrines in Scotland, and gave quiet to the land until Satan let loose another band of his satraps, headed by Calvin.[2] A charge, uttered in such a tone, against the idol of the opposite party was not likely to be received by them with much respect, embodied as it was in a book signally filled with partialities and falsehoods. A later writer on Scottish history professed to have seen a state paper which corroborated the charge, but he too was a partial scribe; and though he did not, like the other, think it his duty to support a cause by falsehoods and fabrications, he was known to be careless and credulous.[3] Other searchers failed to find the

[1] State Papers (Henry VIII.), v. 512.

[2] Dempsteri Historia Ecclesiastica Gentis Scotorum, ii. 599.

[3] Dr George Mackenzie's Lives of Scots Writers, iii. 18. He professed to quote certain copies, in the Advocates' Library, of Sir Ralph Sadler's despatches, but the shape in which he presented an extract from them

document he founded on, and the charge against Wishart passed away into oblivion with other vain stories. But, unexpectedly to every one interested in that chapter of history, letters of the period now before the world seem to show that for once a charge by the fiery and unscrupulous Dempster had some foundation.

The whole is best told in the words of the letters themselves. In the spring of the year 1554, King Henry received a despatch from Lord Hertford containing the following passage: "Please it your highness to understand that this day arrived here with me the Earl of Hertford, a Scottishman named Wysshart, and brought me a letter from the Laird of Brunstone, which I send your highness herewith; and, according to his request, have taken order for the repair of the said Wysshart to your majesty by post, both for the delivery of such letters as he hath to your majesty from the said Brunstone, and also for the declaration of his credence, which (as I can perceive by him) consisteth in two points; one is, that the Laird of Grange, late Treasurer of Scotland, the Master of Rothers, the Earl of Rothers's eldest son, and John Charters, would attempt either to apprehend or slay the cardinal at some time when he shall pass through the Fife land, as he doth sundry times to St Andrews; and, in case they can so apprehend him, will deliver him unto your majesty; which attempt he saith they would enterprise, if they knew your majesty's

was not calculated to inspire confidence. It began thus: "This day arrived from Scotland Mr Wisheart, who brought me a letter from my Lord Brimstone," &c. This being a name utterly strange to those best acquainted with Scottish titles, afforded neither temptation nor aid towards further inquiry; the blundering biographer could not have done better, if his design had been to divert away inquiry from the strange record of desperate intrigues which lay open before him.

pleasure therein, and what support and maintenance your majesty would minister unto them after the execution of the same, in case they should be pursued afterwards by any of their enemies."[1] Wishart got a private audience of King Henry accordingly. The two dealt with some secondary projects for raising a body to cooperate with Henry's inroads, and "burn and destroy the abbots', bishops', and other kirkmen's lands;" and Henry offered to contribute a thousand pounds to this good work, and "for their true and upright dealing therein," whenever he feels secure that "they mind effectually to burn and destroy." The chief question before them, the dealing with the cardinal, is intimated, along with these other matters, in a despatch by the Council of England to Hertford, thus: "Furthermore, your lordship shall understand that Wishart, which came from Brunston, hath been with his majesty, and for his credence declared even the same matters in substance whereof your lordship hath written, and hath received for answer, touching the feat against the cardinal, that, in case the lords and gentlemen which he had named shall enterprise the same earnestly, and do the best they can, to the uttermost of their powers, to bring the same to pass in deed—and thereupon, not being able to continue longer in Scotland, shall be enforced to fly into this realm for refuge—his highness will be contented to accept them, and relieve them as shall appertain."[2]

The affair came before King Henry in another shape. A letter from the Earl of Cassilis to Sadler, containing, as its terms are recorded in a brief and business manner by the English Privy Council, "an offer for the

[1] State Papers (Henry VIII.), v. 377. [2] Hamilton Papers, 96.

killing of the cardinal, if his majesty would have it done, and would promise, when it were done, a reward." The official answer to this request is certainly one of the most extraordinary papers to be found in English historical correspondence: "His majesty hath willed us to signify unto your lordship that his highness, reputing the fact not meet to be set forward expressly by his majesty, will not seem to have to do in it; and yet, not misliking the offer, thinketh good that Mr Sadler, to whom that letter was addressed, should write to the earl of the receipt of his letter, containing such an offer, which he thinketh not convenient to be communicated to the king's majesty—namely, to write to him what he thinketh of the matter (he shall say), that if he were in the Earl of Cassilis's place, and were as able to do his majesty good service there, as he knoweth him to be, and thinketh a right good will in him to do it, he would surely do what he could for the execution of it, believing verily to do thereby not only acceptable service to the king's majesty, but also a special benefit to the realm of Scotland, and would trust verily the king's majesty would consider his service in the same; as you doubt not of his accustomed goodness to them which serve him, but he would do the same to him."[1]

After some less distinct correspondence, the project came to lie between Sadler and the Laird of Brunston. In a long letter of instructions from Sadler, some relate to the affair which, for the sake of brevity, is called "the killing of the cardinal," and of these the following may suffice:—

"I am of your opinion, and, as you write, I think it

[1] State Papers (Henry VIII.), v. 449, 450.

to be acceptable service to God to take him out of the way, which in such sort doth not only as much as in him is to obscure the glory of God, but also to confound the common weal of his own country. And albeit the king's majesty, whose gracious nature and goodness I know will not, I am sure, have to do nor meddle with this matter touching your said cardinal for sundry considerations, yet if you could so work the matter with those gentlemen your friends, which have made that offer, that it may take effect, you shall undoubtedly do therein good service both to God and to his majesty, and a singular benefit to your country. Wherefore, like as if I were in your place, it should be the first thing I would earnestly attempt, thinking thereby, for the respects aforesaid, chiefly to please God and to do good to my country, so I shall give you my advice to travail in the same effectually with the said gentlemen your friends, and to cause them to put the matter in execution; assuring you that I know the king's majesty's honour, liberality, and goodness to be such (which also is not unknown to you) as you may be sure his majesty will so liberally reward them that do his highness honest service as they shall have good cause to be contented. And if the execution of this matter doth rest only upon the reward of the king's majesty to such as shall be the executers of the same, I pray you advertise me what reward they do require, and if it be not unreasonable, because I have been in your country, for the Christian zeal that I bear to the common weal of the same, I will undertake it shall be paid immediately upon the act executed, though I do myself bear the charge of the same, which I would think well employed."[1]

[1] State Papers (Henry VIII.), v. 471.

Naturally enough it is maintained that Wishart the martyr cannot be the same man as the Wishart, a Scotsman, who entered so earnestly into the business of the killing of the cardinal. There were other Wisharts in those days, and as they cannot be identified, it were better that the scandal should lie generally among them. It is, however, likely that, if there had been another Wishart so important as to have close communication with Hertford, Sadler, and other statesmen, and to get private audience of Henry VIII., he could be identified. To the observer from without, Wishart the martyr is part of the group occupied in the affair; removing him from that group breaks it up almost more than the removal of any other—of Leslie, Ormiston, or Brunston. This, however, will of course go for nothing with those who entertain it as an article of creed, that the man who could sacrifice his own life for the cause of the Reformation was incapable of taking another life for the same cause.[1]

[1] A review of this affair by a Presbyterian clergyman who is generally sufficiently zealous for his own Church is worthy of notice, alike from its impartiality and its conclusiveness :—

"Though the correspondence does not conduct us up to the very day when the deed was done, it is quite sufficient to prove that the Earl of Cassilis, the Master of Rothes, and the Lairds of Brunston and Grange had entered into a foul conspiracy to murder Beaton, and that this conspiracy was fostered by the English monarch. If it be asked, Was George Wishart connected with it? it must be answered sorrowfully, There is a strong presumption that he was, though not positive and conclusive proof. It is just possible that the Wishart mentioned in the Earl of Hertford's letter may not have been the martyr, but his close intimacy at that time with every one of the conspirators leads one to suspect that it was. Beaton himself knew that his life was in danger; and it is difficult to believe that Wishart was entirely ignorant of the character and intrigues of the men with whom he was so intimately associated. We know that he lived in constant dread of the cardinal, and frequently anticipated his fate; and when at last he was apprehended, it was at Ormiston, from which one of Brunston's letters was

These ugly revelations of the state papers, if they show us one fallen star, show others. The ardent polemic who deems himself the soldier of the Lord in a contest with Satan, demands charitable allowances; he is the desperate combatant in the front ranks of a deadly struggle, who neither asks nor gives quarter. Henry VIII. is an exception to everything. But what shall we say for English statesmen of that age when the spirit of chivalry was mellowing itself into that model of social excellence, the English gentleman? what for Hertford and Sir Ralph Sadler?

The cardinal seems to have felt himself very secure

dated, in the company of Sandilands of Calder, from whose house a second document had gone forth, and of Brunston, the chief of the intriguers; and they were all together, anxiously awaiting the coming of the Earl of Cassilis and his friends from the west. But in addition to this, we know that Wishart frequently foretold the woes that were coming upon his country, and even in the flames is said to have predicted the cardinal's death; and if so, his foreknowledge must have been the result of his admission into the councils of the conspirators and their English allies; for the same reasons which force us to deny miraculous powers to the Papal Church, must lead us to refuse them to our own.

"But it will be asked, How is it possible to believe that one so saintly as the martyr of Pittarrow could enter into so murderous a plan? The difficulty of belief arises from our transferring the piety of the nineteenth to the sixteenth century—the piety of men at ease, to men oppressed by power, and by no means free of the ferocity of the feudal times. We judge of the men that were then, by the men that are now; of the piety that was then, by the piety that is now. Both were of a sterner kind, modelled more after the examples of the Old Testament than according to the spirit of the New. The truth is, it was accounted right to take vengeance on oppressors; it was peculiarly the Lord's work. To hew Agag in pieces, to smite the prophets of Baal, to scatter the proud in the imaginations of their heart, was a work to which the faithful were called, and which they must not shrink from performing. This was shown by the speech of Melville before passing his sword through the body of the cardinal; it is shown in the language with which Knox records the event, and it is shown by the whole history of the period. It were really more difficult to believe that Wishart could be free from these feelings, than that he should be infected by them."—Cunningham's Church History of Scotland, i. 251, 252.

in that fortress where his uncle and he had so long defied their enemies both of England and Scotland—so secure, that he could afford to be careless. There was building going on, and it was between five and six o'clock on the morning of the 29th of May that, as the workmen were going in at the gate, Norman Leslie, the eldest son of the Earl of Rothes, with two assistants, slipped in along with them. They were followed by James Melville with other three, who parleyed at the gate, negotiating for an interview with the cardinal. While they conversed, the young Laird of Grange came up with eight men all armed. The appearance of these roused the porter to his duty, but ere he could do anything he was stabbed and pitched into the moat. With extraordinary dexterity, the few defenders who were in the castle were driven out in detail along with the workmen, and all gates closed and guarded. The cardinal, hearing unusual and formidable sounds, was mounting the turnpike stair of his keep to see from the ramparts what was astir; there he met the invaders, and was put to death. Knowledge of the blow was soon spread by those who were driven out; the common bell was set a-ringing, and the townsfolks rushed tumultuously to the castle, with their provost at their head. It was soon shown them, however, that they were too late, even could they have done anything. To show that their work was completed, the conspirators exposed the body of the cardinal over the wall, hanging by a leg and an arm. The place was too strong to be assailed save by an army, and the small body of invaders, sixteen in all, were in safe possession.[1]

[1] See the account in Knox's History, corrected from a report transmitted to Wharton (State Papers, Henry VIII., v. 560). The following con-

Here was a strong refuge to which the Protestantism of Scotland might repair. There soon gathered within the walls a sufficient garrison of determined men. It was their good fortune to find the place well victualled by its former owner; and although, after a time, they sometimes suffered straits, they were able to keep open a communication with the sea, through which they got supplies from English vessels. Among the valuable possessions to which they succeeded was a young guest of the cardinal, a son of the regent. King Henry wanted them to make him a gift of this youth, and he set down the Castle of St Andrews as now virtually a possession of England; but he would probably have found that the actual holders entertained different views.

Hostile measures of all kinds were taken against the garrison. An act of forfeiture was passed against those who had actually taken hand in the seizure of the

clusion to Knox's narrative is very characteristic of him: "Whill they war thus occupyed with the cardinall, the fray rises in the toune. The provest assembles the communitie, and cumis to the fowseis syd, crying, 'What have ye done with my lord cardinall? Whare is my lord cardinall? Have ye slayne my lord cardinall? Lett us see my lord cardinall!' Thei that war within answered gentilye, 'Best it war unto yow to returne to your awin houssis; for the man ye call the cardinall has receaved his reward, and in his awin persone will truble the warld no more.' But then more enraigedlye, thei cry, 'We shall never departe till that we see him.' And so was he brought to the east blokhouse head, and schawen dead ower the wall to the faythless multitude, which wold not beleve befoir it saw: How miserably lay David Betoun, cairfull cardinall. And so thei departed, without *Requiem æternam*, and *Requiescat in pace*, song for his saule. Now, becaus the wether was hote (for it was in Maij, as ye have heard), and his funerallis could not suddandly be prepared, it was thowght best, to keap him frome stynckíng, to geve him great salt ynewcht, a cope of lead, and a nuk in the boddome of the Sea-toore (a place whare many of Goddis childrene had bein empreasoned befoir), to await what exequeis his brethrene the bischoppes wold prepare for him."—History, i. 178, 179.

castle and the murder of the cardinal. All the military resources which the governor could command were in vain employed in the siege; the walls were heavily pounded and much injured by cannon, but still the garrison held out month after month. Among the Protestant laymen of that age there was not much of the Puritanic spirit or practice; and, as was natural enough, a set of desperadoes like this garrison fell into deep orgies, and indulged in all available licentiousness. But they had among them a terrible monitor—John Knox himself—who had come among them, and ever raised his dread voice against them, and threatened them with the judgment of God for their wickedness. Knox had, indeed, accepted of the spiritual charge of this flock as of a congregation. He had not been called to the ministry according to any of the established forms. If he had been a priest, as some said, he had been degraded from the priesthood for his heresies. The pastoral position was accepted by him as the will of the Supreme Being specially dealing with the unexampled conditions in which he stood. His conduct has been treated by many of his own Church in a dubiously apologetic tone; and it is observable that the Church of Rome, the most punctilious of all in the exaction of formalities, contains the most ingenious machinery for dispensing with them in cases of necessity.

For fourteen months did the garrison defy all the efforts of the regent. At length a French force, under the command of Leo Strozzi, Prior of Capua, was brought over in sixteen galleys, and an attack opened both by sea and land. They did the work speedily; and the following account in the Pitscottie Chronicle

shows how the foreigners despised the skill of the Scots, both in the defence and the attack of fortified places, and with what justice they did so :—

"They came so suddenly upon the castle, that they who were without might not get in, nor they who were within might not get out: the Frenchmen leapt so hastily about the said castle and trenched it round about, so that they were hastily enclosed; syne, manned artillery on the college steeple, and also upon the walls of the abbey kirk, and condemned all the close and wall heads that were within the castle, that no man that was within the castle durst move through the close, nor pass to the wall heads. Then the French captain said to the governor, 'They have been inexpert men of war that have sieged the castle, that would not lay artillery to all the steeple heads and high parts, which would ever have condemned the castle; and I marvel that they who are within the same have let the steeple heads stand, which at all times have put them down from shooting and defending of themselves; therefore, will God, your lordship shall see to-morrow, or six hours at night, I shall make your lordship an easy passage through the castle, and make them to obey you who are within the same.' Then the captain laid to the great battery, to wit, the two great Scots cannons, whereof we spoke before, and six French cannons. Their captains devised very craftily that the cannons should pass down the gait them alone with windessis to save men from slaughter. But there happened an Italian to be in the castle for the time, who was sent to them out of England for their support, and was their deviser: but when the cannons were coming down the gait

them alone, he said to the captains and men of war, 'Defend yourselves, masters, for now ye deal with men of war who are very skilful and subtle, for they lay to their cannons without sight of men with them.' At thir sayings, the captains and men of war took great care, and said they should keep their castle for Scotland, England, and France, all three. But they were beguiled; for within six hours after the battery was laid to the castle, and blaidit partly by the cannons that came down the gait them alone, and partly with the cannons that were stelled upon the steeple heads. Then the captain of the castle grew afraid, and went to council to see if they should give it over freely, or defend it to the uttermost: but at last they concluded that they would give it over to the French captain, and put themselves in the King of France's will, as they did. Then the Frenchmen entered the castle, and spoiled very rigorously, where they got both gold, silver, clothing, bedding, meat and drink, with all weapons, artillery, and victuals, and all other plenishing pertaining to the said castle, and left nothing behind them that they might get carried away in their galleys: and took all the captains and keepers of the said castle as prisoners, and had them away to the King of France. Syne the governor and council concluded, that they would ding down the said castle to the ground, that it should not be holden again as a strength: which was done hastily at command of the council. This castle as won in the month of August 1547 years." [1]

There was yet to be another event to complete this strange, wild story. The Scots garrison were taken to

[1] Pitscottie, i. 488-491.

France, and treated as criminals. Knox, with some others—men of position in their own country—were made galley-slaves, and had to work chained to the benches running along the edge of the vessel, where the brutal misery of their condition was separated and hidden from the other parts of the vessel frequented by the passengers and sailors.

If Knox had told us something of his experience in galley life, it would have been more valuable than his survey of the events that were passing in Scotland during his absence. On his return in 1559, when preaching in St Andrews, he reminded his audience how he had been "reft by the tyranny of France" from his post there, as they well knew; but he cannot dwell upon the matter, saying, "How long I continued prisoner, what torment I sustained in the galleys, and what were the sobs of my heart, is now no time to repeat."[1] Among his scant notices of his own and his brethren's fate, we find that one detachment of the captives was taken to Sherisburgh or Cherbourg. Among these were Norman Leslie, Kirkcaldy of Grange, and Monypenny of Pitmelly. Of them, and of another party detained in Mont St Michel, Knox tells instances of noble resistance to Popish compliances urgently pressed upon them; as, when they were required to attend mass, they answered, "No; and if ye would compel us, yet will we displease you further, for we will so use ourselves there that all those who are present shall know that we despise it." Knox had an abundance of faith ever at hand for such stories about his coadjutors; but earnest and overpowering religious convictions were not the stuff of which the

[1] History, i. 349.

consciences of the ex-garrison of St Andrews were made.

When he tells us of another repudiation, we can well believe it, because a certain tone of triumphant chuckling wherewith he delivers "the merry fact" shows that he was himself the hero of the affair. It was in one of the galleys stationed in the Loire, off Nantes, that "great *salve* was sung, and a glorious painted lady was brought to be kissed, and, among others, was presented to one of the Scottishmen then chained. He gently said, 'Trouble me not; such an idol is accursed, and therefore I will not touch it.'" They forced it, however, into his hands; and having so got it, "advisedly looking about, he cast it in the river, and said, 'Let our lady now save herself; she is light enough, let her learn to swim.'" After that, we are told that the Scots among the slaves were no longer troubled with such importunities, and were even permitted, during the singing of the *salve*, "to put on their caps, their hoods, or such thing as they had to cover their heads."

Kirkcaldy of Grange, two Leslies, and Peter Carmichael, in Mont St Michel, managed to seize and lock up their guards. They then easily escaped; but they encountered great hardships and difficulties. Kirkcaldy and Carmichael set up as professed mendicants, and wandered to La Coquette, a seaport in Brittany, where they entered themselves as mariners, and, after one or two coasting voyages, got landed in England from a French vessel. "Great search," says Knox, "was made through the whole country for them; but it was God's good pleasure so to conduct them that they escaped the hands of the faithless."

Before making their escape, it appears that they consulted Knox about the lawfulness of such a step. What end they had in referring to him it is hard to say, but we may easily pronounce that it could arise out of no tenderness of conscience touching such a step. Knox's dealing with the question deserves note. On more than one occasion he has given scandal by the tone in which he has treated acts of murderous violence. Some great deed, however, in which the Deity wrought His objects through the hands of violent men, was exceptional. Knox was not, in ordinary affairs, a man of blood, like the fiery Huguenots, from whom he took his faith. He dealt out, indeed, to the captives a doctrine far too refined for men so rough-handed. "That if without the blood of any shed or spilt for them for their deliverance they might set themselves at freedom, that they might safely take it; but to shed any man's blood for their freedom, thereto would he not consent." He added that "he was assured that God would deliver them and the rest of that company, but not through their own endeavours or the help of earthly friends." They, however, as we have found, did not place such absolute trust in this prediction as to let pass a good opportunity of working their freedom by their own hands.

We have one more little incident of the captivity; it is a touching one, and shows us Knox himself in his gentler mood. His galley-companion, James Balfour, asked "if he thought that ever they should be delivered," to which Knox answered, "that God would deliver them from that bondage to His glory even in this life." Soon after this their galley coasted Scotland, passing familiar spots. They were tossing in the

Bay of St Andrews, where Knox was so reduced by sickness that "few hoped for his life," when his companion, turning to him, "willed him to look at the land, and asked him if he knew it," who answered, "Yes, I know it well; for I see the steeple of that place where God first in public opened my mouth to His glory; and I am fully persuaded, how weak that ever I now appear, that I shall not depart this life till that my tongue shall glorify His godly name in the same place."

He continues to tell how "this reported the said Maister James, in presence of many famous witnesses, many years before that ever the said John set his foot in Scotland this last time to preach." Yet of this James, who was then "wondrous familiar with him," he had afterwards to regret that he was released in the body to be enslaved in the mind; for he became so far a backslider as to be termed by Principal Robertson "the most corrupt man of his age," an expression condensing within it a terrible mass of criminality. It was Knox's fate to find such changes in his most zealous coadjutors when his own hand was weak and worldly temptation strong; and even of those Leslies whom he believed to have stood so gallantly for the truth, he has to record that they had become "enemies to Christ Jesus and to all virtue."[1]

In February 1549, Knox was released, but how we know not. He abode in the south of England until the death of Edward VI., when he found refuge and congenial duty in Geneva. Thus for some years after the capture of St Andrews he and his cause disappear from the face of Scottish history, which

[1] History, i. 225-31.

holds on in other shapes as if their brief day were finally over.

During these affairs, Henry VIII. passed to his great account. To the last he was characteristic in his dealing with Scotland, showing a flighty waywardness signally in contrast with the steady determination and deep policy of Edward I. He had one fixed object—a remorseless enmity to the country, and a determination to do it all possible evil; but his devices for that end were uncertain to childishness. He was busy negotiating with Angus, Cassilis, and the other "assured lords;" and receiving from them, as things of value, renewed assurances of devotion and promises of help, which seem almost to have been made in very derision.

The policy of aggression did not die with him. The long wars, the continual pounding by a stronger neighbour "down against them," as Wharton said, "to their great beggary," had left the Scots small apparent power of resistance; and Somerset the governor thought that the business might now be finished by one good blow. Accordingly an army of fifteen thousand men crossed the border, under Somerset himself. They met no effective interruption. At the steep cleft of Cockburnspath, which a small force could have thoroughly defended, they found nothing more to interrupt them than some breaking up of the zigzag paths up the rocks, which their pioneers easily remedied. A fleet moved northwards by sea parallel with the army, and both stopped at the old town of Musselburgh, on the coast, six miles eastward of Edinburgh. A large Scots force was assembled by the regent, but it is surely exaggeration to say that it exceeded thirty thousand

men. After some shifting of ground and skirmishing, the two forces took up position on either side of the small river Esk. The English had the range of a succession of low hills, the highest of which were called Carberry and Fauside; they form the sky-line to the west from the sea-shore. On the other side of the Esk the Scots had a strong position on a flat plain or terrace elevated by a steep bank above the Esk. An English observer who was present thus describes their position: He had "a full view of their camp, whereof the tents as I noted them were divided into four several orders and rows lying east and west, and a prik shot asunder, and mustered not unlike, as thought me, unto four great ridges of ripe barley. The plot where they lay so chosen for strength as in all their country some thought not a better: safe on the south by a great marsh; and on the north by the Firth, which side also they fenced with two field-pieces and certain hackbuts a' crock, lying under a turf wall; Edinburgh on the west at their backs, and eastward between us and them strongly defended by the course of a river called Esk, running north into the Firth, which as it was not very deep of water, so were the banks of it so high and steep, after the manner of the Peaths mentioned before in our Monday's journey, as a small sort of resistances might have been able to keep down a great number of comers up. About a twelve score off from the Firth, over the same river, is there a stone bridge, which they did keep also well warded with ordnance."[1]

We are told that Somerset and his lieutenant, Dudley,

[1] Patten's Account of Somerset's Expedition (reprint), 48. Patten calls himself Londoner, and supports his claim by the preposterous comparison of the banks of the Esk with the great ravine of the Peaths.

Earl of Warwick, descended from Fauside Brae towards the small rising ground where the Church of St Michael of Inveresk stood, and the later parish church now stands. There they were addressed by a herald, who said he came from Huntly, the commander of the Scots army, to render a proposal for avoiding bloodshed. It was an offer to meet Somerset in chivalrous combat with companions, twenty to twenty, ten to ten, or, if he preferred it, the two generals man to man; but Somerset answered that he was not to peril his cause on such a venture, and offered some further but less cogent reasons about inequality of rank as between the challenger and the challenged. The proposition was so far astray from any practical conclusion, that it was set down as a device by George Douglas for obtaining information about the English army.

On the morning of Saturday the 10th of September, when the English army were astir, under some order to bring them into fighting condition, they were surprised to find the Scots leaving their strong position and coming to meet them. The Scots had to pass the Esk; and as they made use of the old bridge still standing, some of them were killed by the cannon of the English vessels. The Londoner, who records his experiences of this affair, could only account for the movement of the Scots from their strong ground on the theory that they were afraid of Somerset's army retreating and slipping out of their hand. He says, "We came on speedily on both sides, neither as thereunto any whit aware of other's intent; but the Scots, indeed, with a rounder pace between the two hillocks betwixt us and the church, they mustered somewhat brim in our eyes, at whom, as they stayed there a while, our galley shot

off and slew the Master of Graham, with five-and-twenty near by him."[1]

The Scots passed westward of the church. There was a broad stretch of almost level land, with a slight elevation towards the east and the west, and there the Scots leader thought fit to force a battle. The ground might be pretty equal for both; but the Scottish army was under the disturbing influence of a sudden change of position, while the English were moving on their own ground. It is an expressive testimony to the impulsiveness of the movement carrying the whole Scots army away from its position, that the English chronicler of the battle says they came on more like horse than foot soldiers.

The English were strong in cavalry, which for centuries had been a preponderating power with them, and in artillery, which was becoming another. As the Scots were forming themselves, a body of horsemen was sent to try them; and the reception these met, described by the English chronicler of the battle, from his own side, is a good example of the Scots tactic for receiving the enemy's charge on a clump of long spears.[2]

[1] Patten's Account, p. 54.

[2] "Hackbuts have they few or none to appoint theyr fight most commonly alwais a-foot. They cum to the felde well furnished all with jak and skull, dagger, buckler, and swoordes, all notably brode and thin, of excedinge good temper, and universally so made to slyce, that, as I never saw none so good, so think I it hard to devyse the better: hereto every man his pyke, and a great kercher wrapped twyse or thrise about his neck, not for cold, but for cutting. In their aray toward the joining with the enemy, they cling and thrust so nere in the fore ranke shoulder to shoulder together, wyth their pykes in bothe handes strayght afore them, and their followers in that order so harde at their backes, laiynge their pykes over theyr fooregoers' shoulders, that if they do assaile undissevered, no force can well withstond them. Standing at defence, they thrust shoulders lykewise so nie together, the fore rankes wel nie

From this prickly mass, according to the same narrator, came challenges as the English cavalry approached. "As our men were wellnigh them, they stood very brave and bragging, shaking their pike-points, crying, 'Come here, loons! come here, heretics!' as hardly they are fair-mouthed men." [1]

The attacking force was scattered, and a pursuit was made by the Scots, who had better have remained at their post. They killed a considerable number of the fugitives; and it was noticed that many of those slain were persons of consideration, whose loss was a blow to the English side, which had to be avenged. In charging, the English found a ditch which they had some difficulty in crossing—it may be seen yet. On their return they were prepared for it, but their Scots pursuers were not, and it confused them. While this secondary affair went on, the main body of the English army dressed and formed on the upper bend of the ground with entire composure and security, drawing in and placing the stragglers scattered by the attack on the Scots. The greater part, indeed, of the English army appears to have been still concealed from the Scots behind the low sky-line of Fauside ridge.

It was determined to attempt no more skirmishes, but to let the Scots army feel the full weight of the

to kneling, stoop lowe before for their fellowes behynde, holdynge their pykes in both handes, and thearwith in their left their bucklers, the one end of the pyke agaynste their right foot, the other against the enemie, brest hye, their followers crossing theyr pyke-pointes with theim forewarde, and thus each with other so nye as place and space wil suffer, thrugh the hole warde so thick, that as easly shall a bare fynger perce through the skyn of an angrie hedgehog as ony encounter the frunt of their pykes."—Patten's Account, 58, 59.

[1] Ibid., 60, 61.

well-appointed host they were so impatient to encounter. The Scots had no cavalry. Those who had horses left them in the camp on the other side of the river; and this tactic was so unaccountable on the English side, that the historian of the battle could only suppose that the foot-men compelled the mounted men to relinquish their horses, as likely to afford them a temptation and a ready means to take to flight. There was an unwonted element in that army—a body of Highlanders. Though their descendants became valuable troops when properly handled, they were ever at that time deemed by Lowland levies more dangerous to their comrades than to the enemy. Their method of fighting was not in harmony with that of the Scots spearmen and axemen, and, brought into such a host as was now assembled, became an element of uncertainty. The English narrator, indeed, says that the Highlanders—or the Irish, as he calls them—were the first to break rank and take to flight.

The English were preparing for a grand charge of all arms. It was made under the protection of bowmen in the flanks, and of artillery up on the brow of the hill, which could play over the heads of the English troops, making great havoc on the thick clumps of Scots spearmen. The charge was a surprise. It was so thoroughly effective, that it was instantly followed by a breaking up and flight. It was a flight utterly helpless, without one organising point. The Scots had suffered severely in other battles, as in Flodden, but they never had been so disgraced. The crisis came early in the day, so that the victors could pursue with daylight. That they should spare was not expected, yet the slaughter was almost an entire extermination, and taught the lesson

that the best chance for the soldier in battle is steadiness. Such was the battle of Pinkie.[1]

Here, then, was another great calamity to a people ill able to bear it. The protector had founded on the exhaustion of the country—what was he to do now, after he seemed to have drawn its last drop of warlike blood? Some more secondary castles were taken. The vital strongholds, however—Edinburgh, Stirling, and Dumbarton—were still kept for Scotland. Somerset found business to attend to at home, and it is possible that he may have seen, all the better for having gained a victory, that it would take many battles and much cruel work to subdue Scotland. He returned with the greater part of his army, after it had completed the destruction of the Church of Holyrood Abbey, and committed other devastations round Edinburgh.

The day of Pinkie Cleuch was one of the memorable epochs in Scottish history; it was the last great disaster in a contest for national existence—the turning-point at which there came life when hope seemed past. A success of an encouraging and peculiar character, of which we have only the outline, followed the disaster of Pinkie. It was in February 1548 that Wharton, as Warden of the Western Marches, rode a raid into Scotland with three thousand men, trusting that Maxwell, Angus, and others of the "assured Scots," would bring their following to his aid, according to a promise they

[1] The account given by a French soldier in the English service would impress the belief that the slaughter was restrained: "Mes dicts seigneurs firent sonner la retraicte, se contentant de la victoire que le Seigneur leur avoit donnee, et ne voulant que le moins diffusion de sang q'il leur estoit possible."—Recit de l'Expedition en Ecosse, &c., par le Sieur Berteville (Bannatyne Club), 16. All evidence shows, however, that the slaughter was on a scale seldom exemplified.

had made. The leaders professed to join him, but the followers turned fairly round to their own countrymen. The force was thus subtracted from the invaders and added to the enemy. The renegades fought bitterly and mercilessly against their old comrades, and both Wharton and Grey, his lieutenant, were glad to carry away a shattered remnant of their English force. It was reported at the Court of France that this was a great victory over some nine or ten thousand invaders, of whom three thousand were slain; and the news went, with other events, to show that there still lived in Scotland a spirit of resistance which, with a little aid, might baffle England.[1]

But there was prospect of another and more effectual relief to the miseries of the country. Independent and self-willed as the Scots people were, they had an almost religious veneration for their royal line. It became the more sacred in their eyes, from the way in which it had been preserved through attenuated threads of existence. It now ran in the life of an infant. For her, English armies invaded, and Scots armies fought them.

Though the three great fortresses of the south—Edinburgh, Stirling, and Dumbarton—were still in Scots hands, yet so systematically were the English obtaining one post after another, that soon there would be no place where the nation's treasure could be kept in safety. The measures taken for the security of the royal child, now six years old, are a curious example of the method in which the utmost available security was to be sought in Scotland in that age. This was not to be found in a garrison, however strongly posted. On Surrey's approach, the child had therefore been removed from

[1] Turnbull's Calendar of State Papers, No. 73.

Stirling. The place selected as of greater security was the flat island called Inchmahome, on the lake of Monteith, half-way between Stirling and the Highlands. From such a spot no enemy could be assailed as from a fortress; yet, on the principle of the lake-dwellings of older ages, it was still deemed less assailable than a fortress on land, or an island approachable by sea.[1] A small garrison could effectually keep off any attempt that could be made by boats brought across the country by invaders, and artillery had not then, or for long afterwards, a sufficient range to assail the island from the shore.[2]

A way was at last devised for lightening national anxieties which were so heavy a burden—to remove out of the way of both parties the object of contest. If the infant queen were in distant safety, there might exist while she lived a tenure of nationality, however much Scotland suffered from her strong neighbour; and by her removal, the object of hostility might at the same time depart from the land. This was a project, however, which could only be accomplished through the good services of the ancient ally, France. The English resident found Scotsmen there still as defiant as ever, even after the battle of Pinkie, and declaring that England should have nothing but what she took by force. In March

[1] See chapter iii.

[2] The island is flat and heavily timbered, but it rests under the shadow of the Highland hills. Inchmahome is said, in Gaelic, to mean the isle of peace. Living in the cloister of its monastery, the peaceful life of the child with her three Marys is provocative of reflection on the contrast it affords with the troubled world outside, and with the tragic career that was to be the future of the child. Whoever desires to see full and genial expression given to all that may be so suggested, will find his way to the paper on "Queen Mary's Child Garden," in the Second Series of Dr John Brown's Horæ Subsecivæ.

1548, it is announced that the king is determined not to suffer such old friends as the Scots to be oppressed by the English. The emperor's ambassador lets out that it is the intention to send to Scotland 6000 foot-men, 200 men-at-arms, and 500 light horsemen.[1] Never had friendly aid from the ancient ally been looked for with deeper anxiety; it was the only salvation to Scotland from a struggle more desperate than any she had yet borne, if not from actual conquest. On the 16th of June 1548, a French fleet landed at Leith with an army of six thousand foreign auxiliaries and a supply of cannon. The Estates met at Haddington, just recovered from the English after a hard struggle. There they discussed the weighty question of a marriage between the Queen of Scotland and the Dauphin of France, which the Sieur d'Essé, the French ambassador, was authorised to treat on. There was an understanding and more, that the royal prize was to be for the governor's son. Arran, indeed, held an obligation to this end under the seals of the chief nobles. From a firmer hand than his it would not have been easy to loosen such a hold. The chief difficulty lay indeed with his ambitious brother John, now a powerful man, as the successor of Beaton in the see of St Andrews. He had chafed angrily and indecorously at the easy way in which his brother had let slip the opportunities for aggrandising the house of Hamilton. It was said of him that, applying to the infant an offensive nursery expression of the day, he had asked his brother how he could let that thing be between him and a throne. The arrangement was made without difficulty, the Scots covenanting for all manner of

[1] Turnbull's Calendar of State Papers, No. 73.

securities for the independence of the country, and it was agreed that D'Essé should take the precious infant back with him to France.[1]

The English Government knew that there was now an opportunity, and that it was the last. Arrangements were of course made to intercept D'Essé. The way in which the trap was escaped is one of the cleverest affairs of the kind on record. In great pomp the French squadron of Villegagne sailed down the Firth of Forth. It would have been intercepted and fought in the narrow seas as it crept along to France; but it turned suddenly northwards, and swept round Scotland by the Pentland Firth, then, coasting westwards, it reached Dumbarton. The queen had been conveyed to that sure fortress, and there she embarked. She was safely landed at Brest on the 30th of August.

The war continued, not so much for anything the English might now gain, as for what they had to lose. By the rude force of military possession they held considerable territory and some secondary strongholds in the southern districts.

The most serious part of the work which had thus to be done showed a new feature in the method of holding a conquered country. In previous wars, the great point was to get possession of the inland fortresses. Now, when cannon and shipping were a material strength, especially in the hands of so rich a country as England, it was a great object to run up fortifications on points commanding the seaports or water-ways of the country. The Scots found that in several places fortresses, which it was difficult work to

[1] Act. Parl., ii. 481.

take, had thus grown up, as it were, in the hands of the English. Two of these were especially offensive to them—one on the island of Inchkeith, commanding Leith harbour, and giving refuge to vessels which might scour the Firth; the other at Broughty-Ferry, still more closely commanding Dundee and the Firth of Tay. Bishop Leslie, speaking of the general effort to recover the national strongholds, says, "First it was thought most necessary to assay to get Brochty Craig, because it appeared greatly to be against the estimation of the country that the Englishmen should keep a fort so far within the realm; and fra that fort were won, they deliberate to pass forward to the winning of the forts of Lauder, and others upon the borders, as they did afterward." Broughty seems to have been a very strong fortress, uniting its works with an old castle, the ruins of which remain. The Scots, as we have seen, were behind the age both in the raising and the besieging of fortified places, and in this task they had valuable aid from their gallant allies. The French commander, De Thermes, is described as making his preparations with deliberation at Dundee before besieging Broughty. When all was ready, "he laid the battery thereto upon the south-east part thereof, and cuttet away all moyens, passages, and intelligences betwixt the fort and the Castle of Broughty, so the fort could have no kind of aid or relief from the sea; and after the same was dung doun with great ordnance, the assault was given thereto both with the Scots and Frenchmen the 20th day of February, where the Englishmen made resistance and defence at the first entering, but they were so courageously and stoutly assailed, and the most part

of them all whilk were within the fort were slain and the rest taken prisoners."[1]

With the assistance of the foreigners, the Scots went heartily on with the work of driving the English from the other fortresses. The war was a bitter one, for there was a long score of wrongs to be avenged, and the vengeance was in hands safe to execute it. Hardened as they were in all the ordinary horrors of mercenary war, the foreigners found in this contest features of ferocious bitterness which were new to them. There were stories of Englishmen cut down by the avenging Scots when in the very act of surrendering to the Frenchmen, from whom quarter might be expected. It was told how the Scots, poor as they were, would buy from the French, at ransom price, English prisoners, for the sheer enjoyment of putting them to death. The French historian of the war says that in this traffic there was no higgling or bargaining; the Scots gave freely whatever was demanded, and if they had not money for the purchase, would part with their arms or horses for the object of their desire. He mentions that he had himself bartered for a horse an English prisoner. When the Scots got him they placed him within a circle of their horsemen, who galloped up and lanced him, and then cutting him to pieces, they carried off portions of his flesh on their lance points.[2]

The Frenchman said he could not commend these incidents of warfare; yet he found some excuse for them in the maddening influence of the devastation that had swept Scotland.[3]

[1] Leslie, 231.

[2] Ibid. Histoire de la Guerre d'Escosse pendant les Campagnes 1548 et 1549, par Jean de Beaugué (Maitland Club), 103.

[3] Beaugué, 104: "En ce cas je ne loue beaucoup les Escossois; car je

The official documents of the war even breathe of its exterminating spirit. In the name of the Governor of Scotland a proclamation was issued, that every Scot taken in arms for the English enemy should be put to death forthwith; and this was answered by a proclamation from the other side, that, so long as that order was in existence, every Scotsman whatever, taken in arms against England, should be put to death.[1]

The special temper of the country, or the chronic jealousy of foreign interference, seems to have chafed the Scots even against those ancient allies who were helping them so heartily against the common enemy. Probably the French, as was their wont, took airs of superiority, and so became *offensive*. One contemporary Scotsman expressly says of the commander, D'Essé, that "he and his men grew insolent, and gave much offence to the country."[2] The French leaders had to report to their Government a serious brawl between their troops and the citizens of Edinburgh on the 8th of October 1548. It arose from a dispute in which a Frenchman refused to deliver up a harquebuss which a Scotsman said he had bought. This brought out the citizens, and there was a street fight, in which the French soldiers seem to have been the victors, so far at least as the casualties went. They were drawn off by their commander, D'Essé, to the siege of Haddington; and the Scots authorities, who pass over the street brawl unnoticed, loudly praise the gallantry they showed there against the common enemy.[3]

ne sçay quel est celuy qui prend plaisir au dommage d'autruy. Mais je dy bien ainsi comme avec tyrannie les Anglois avoyent affligé l'Escosse, qu'avec justice les Escossois retournoyent payer leurs cruautez."

[1] Documents printed by Tytler, vi. Appendix v.

[2] Lord Herries's Historical Memoirs, 25.

[3] The chief authority for the affair with the citizens of Edinburgh is

The work of driving the English forth was nearly completed, when Scotland was affected by the readjustment of the relations of the great powers. France stipulated that Scotland should be her ally in a treaty of peace with England. France had a strong interest to insist on this. England had now lost the great stake of war. In April 1550, therefore, Scotland was restored to her old boundaries, and to peace for a short period. So ended a bitter war of nine years' duration.

For a few years now the country was peaceful, and therefore for historical purposes nearly a blank. As a contemporary puts it, "every man addressed himself to policy, and to build, plant, and plenish" those places which, "through the troubles of the wars, by English or others, had been wasted, burnt, spoiled, or destroyed."[1] The period contains just one considerable national transaction, destined in the end to be far more important than it seemed at its own time. There was to be a change in the office of governor. Since 1544, indeed, Arran had held the office by a kind of sufferance. At a meeting of members of the Estates which had then been held at Stirling, he was deposed and the queen-dowager made governor in his stead, "because the queen's grace, our sovereign lady's mother, is a noble lady of high lineage and blood and great wisdom, and hale of life, having the King of France

the series of reports rendered to the French Government during D'Essé's expedition.—Teulet, i. 199, 200. It is stated, but with conditions that throw doubt on the fulness of the writer's information, that the citizens put to death the French left in Edinburgh. The story is told nearly in the same terms in a letter from Fisher to the Duke of Somerset.—Ellis, Letters, third series, iii. 292. The historian of D'Essé's expedition makes light of the affair, and says the French and Scots became good friends again.—Beaugué, 76.

[1] Leslie, 243.

and the greatest nobles of that realm and others about her, tender kinsmen and friends, who will be the more ready to support this realm in defence of the same, if her grace be well favoured and honoured by the nobles thereof, and holden in honour and dignity; and also because the whole nobles have their special confidence in her grace, and do think them sure to convent in any place where her grace is present."[1]

It was not admitted that this was passed at a full meeting of the Estates; and, like the affair of the English treaty, it is not among the parliamentary records. Ever since the date of the meeting, however, the queen-dowager had the virtual chief influence in the country.

She made a visit to the Court of France, passing through England with letters of safe-conduct, and landing at Dieppe in September 1550. Deputations attended her through Rouen and other towns; and there was a brilliant bustle attending on her reception as that of a great royalty, much to the disturbance of the equanimity of Sir John Masone, the English ambassador, who strove without entire success to account for the importance attached to her advent by the French Court. To account for her visit there was a simple motive at hand—she went to see her daughter. The ambassador could have little doubt, however, that she improved the occasion in family consultations about the best means of obtaining the regency of Scotland, and other matters connected with the new relations of the two countries, and the momentous interests depending on them. Leslie, Bishop of Ross, was Scots ambassador in Paris, and therefore knew more of what she was about than any other historian of the period.

[1] State Papers (Henry VIII.), v. 392.

He tells how she got the King of France to suggest to himself, and to two other Scotsmen then at the French Court on business, that Arran should be induced quietly to give his assent and aid to the transference of the regency. With confiding liberality the King of France gave him the reward of the concession before it was even promised; and he was invested with the duchy of Chatelherault, with "the town and palace thereof."[1]

It is easy to see how the presence in France of the mother of the young Queen Mary and the sister of the great Guises should be a matter of political importance. It is not so easy to account for the fact that, as she returned through England, the Court of the young King Edward went out of the usual course to do her honour, so that she was passed through to Scotland in solemn procession by the local magnates.[2]

Explanations as to the object of this hospitality have a transparent simplicity that makes it difficult to believe them. The Bishop of Ross tells how "King Edward came to the Whitehall for entertainment of the queen-dowager, where great banqueting and honourable pastime was made; and all the antiquities, monuments, and principal jewels of the realm were shown to her; and then was proponed to her, in most effectuous manner, by King Edward, to persuade the King of France to leave the marriage of the Queen of Scotland, and to agree that he might marry her according to the first appointment made by the Governor and Estates of Scotland to that effect, whilk he affirmed was most meet for the government of both the realms,

[1] Leslie, 238.

[2] See, in the Preface to Turnbull's Calendar of Foreign State Papers, reference to the documents describing her sojourn both in France and England.

stanching of blood, and for perpetual quietness in times coming."[1]

The transference of the regency still required very delicate handling. That the affair had been adjusted in France would have been a fatal obstacle to its adoption by the Estates, and it would be dangerous to let it be seen that the duchy of Chatelherault was the price or retainer given for the transference. So far as personal claims went, little was to be feared from the facile Arran himself—the great difficulty was his ambitious strong-headed brother the archbishop. He had been very ill—at death's door—and this brought hope to the schemers; but he recovered, and became as troublesome as ever. It would appear that in the end his pertinacity served his opponents, and that his facile brother was glad to be free of his tormentors on either side. The Acts of the Estates, or other political documents in which the revolution was set forth, have not been preserved. It is in acts of indemnity in Arran's favour, exempting him and his house from all responsibility for acts done during his regency, that we find the transfer completed, and Mary of Guise established as regent in 1554.[2]

[1] Leslie, 240.

[2] Act. Parl., ii. 601. See in Leslie, 249, an account of the meeting of the Estates on 12th April 1554.

END OF THE THIRD VOLUME.

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